



Senate

General Assembly

File No. 268

February Session, 2006

Substitute Senate Bill No. 411

Senate, March 31, 2006

The Committee on Environment reported through SEN. FINCH of the 22nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING EXEMPTION FROM RABIES VACCINATION REQUIREMENTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-338 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 (a) Each owner or keeper of a dog of the age of six months or older,
4 except dogs kept under a kennel license as provided in section 22-342,
5 shall cause such dog to be licensed in the town clerk's office in the
6 town where such dog is kept, on or before June thirtieth, annually, or
7 at such time as such dog becomes six months old, and annually
8 thereafter, on or before June thirtieth. The owner or keeper shall pay to
9 such town clerk for such license the sum of seven dollars for each
10 neutered male or spayed female dog and the sum of twelve dollars for
11 each unneutered male dog and each unspayed female dog, and one
12 additional dollar in each case as the town clerk's fee for issuing a tag
13 and license as provided in section 22-340. Two dollars from each
14 license fee collected for a neutered or spayed dog shall be deposited

15 into the Animal Population Control Fund. If an owner or keeper of a
16 dog fails to procure a license as required by this section, such owner or
17 keeper shall pay the appropriate license fee specified in this section,
18 the town clerk's fee and a penalty of one dollar for each month or
19 fraction thereof the dog remains unlicensed.

20 (b) Any owner or keeper applying for a license for a dog under
21 subsection (a) of this section, except for those owners or keepers
22 possessing a rabies vaccination exemption certificate, or a copy thereof,
23 issued pursuant to section 22-339b, as amended by this act, shall
24 submit to the town clerk a rabies certificate signed by a licensed
25 veterinarian, or a copy thereof, stating that such dog has been
26 vaccinated against rabies, the date of the vaccination and the duration
27 of the immunity provided by the vaccine. No license shall be issued
28 unless the certificate indicates that the immunity provided by the
29 vaccine is effective at the time of licensing.

30 (c) Any owner or keeper applying for a license for a dog pursuant to
31 subsection (a) of this section that has been exempted from vaccination
32 against rabies pursuant to section 22-339b, as amended by this act,
33 shall submit to the town clerk a rabies vaccination exemption
34 certificate issued by the department, or a copy thereof, in lieu of a
35 rabies certificate.

36 [(c)] (d) This section shall not apply to any dog which is imported
37 into this state for exhibition purposes and which does not remain in
38 this state for more than thirty days. Any person may import, from
39 another state, any licensed dog with collar, tag and rabies vaccination
40 certificate, and keep the same in this state for not more than thirty
41 days, without complying with the provisions of this section.

42 Sec. 2. Section 22-339b of the general statutes is repealed and the
43 following is substituted in lieu thereof (*Effective October 1, 2006*):

44 (a) Any owner or keeper of a dog or cat of the age of three months
45 or older shall have such dog or cat vaccinated against rabies. Any
46 animal vaccinated prior to one year of age or receiving a primary

47 rabies vaccine at any age shall be considered protected for only one
48 year and shall be given a booster vaccination one year after the initial
49 vaccination and shall be vaccinated at least every three years
50 thereafter. Those animals revaccinated after one year of age shall be
51 given booster vaccinations at least every three years thereafter. Proof
52 of vaccination shall be a certificate issued by a licensed veterinarian in
53 accordance with subsection (a) of section 22-339c, as amended by this
54 act. [Any violation of this section shall be an infraction.]

55 (b) A licensed veterinarian may grant an exemption from
56 vaccination against rabies for a dog or cat if such licensed veterinarian
57 has examined such animal and determined that a rabies vaccination
58 would endanger the animal's life due to disease or other medical
59 considerations. Such licensed veterinarian shall complete and submit
60 to the department an exemption from rabies vaccination form
61 approved by the Department of Agriculture. After receipt of such
62 form, the department shall issue a rabies vaccination exemption
63 certificate, copies of which shall be provided to the veterinarian, the
64 owner of the dog or cat exempted from rabies vaccination and the
65 animal control officer of the municipality in which the owner of the
66 dog or cat resides. Certification that a dog or cat is exempt from rabies
67 vaccination shall be valid for one year, after which time the animal
68 shall be vaccinated against rabies or the application for exemption
69 shall be renewed.

70 (c) Any violation of this section shall be an infraction.

71 Sec. 3. Section 22-339c of the general statutes is repealed and the
72 following is substituted in lieu thereof (*Effective October 1, 2006*):

73 (a) A certificate of rabies vaccination shall be (1) a [Form 50] form
74 approved by the National Association of Public Health Veterinarians,
75 (2) any form approved by the State Veterinarian, or (3) any form that
76 has the following information regarding the vaccinated animal: (A)
77 The name and address of its owner; (B) a description of the animal
78 which specifies its species, breed, age, color or markings and sex; (C)
79 the date of the vaccination, the duration of the immunity provided by

80 the vaccination, the producer of the vaccine and the vaccine serial
81 number; (D) the rabies tag number; and (E) the signature and license
82 number of the veterinarian administering the vaccination. Such
83 certificate shall be the official proof of rabies vaccination submitted to a
84 town clerk in accordance with the provisions of section 22-338 or 22-
85 339a, as amended by this act.

86 (b) The owner or keeper of a dog or cat shall keep a certificate, or
87 copy thereof, stating that such dog or cat has been vaccinated against
88 rabies and shall make such certificate or copy available to any animal
89 control officer, regional animal control officer or municipal animal
90 control officer of any municipality for inspection.

91 (c) An antirabies clinic, upon request of any municipal animal
92 control officer or animal control officer, shall submit to such officer a
93 copy of any such certificate issued. Such copy shall be used by the
94 officer to search for unlicensed dogs in accordance with the provisions
95 of section 22-349.

96 Sec. 4. Section 22-359 of the general statutes is repealed and the
97 following is substituted in lieu thereof (*Effective October 1, 2006*):

98 (a) The commissioner may make such orders for the adequate
99 confinement, control or destruction of any dog, cat or other animal as
100 he deems necessary to prevent the spread of rabies and to protect the
101 public therefrom provided, notwithstanding the provisions of section
102 22-358, as amended, a local director of health may order the
103 destruction of any unowned animal which is not currently vaccinated
104 for rabies for the purpose of rabies testing if the director finds that the
105 animal has bitten a person and the health or life of such person may be
106 threatened. Any person who fails to comply with any order made
107 under the provisions of this section shall be fined not more than one
108 hundred dollars. The commissioner, the Chief Animal Control Officer,
109 any animal control officer or any municipal animal control officer may
110 quarantine any animal in a public pound, veterinary hospital, kennel
111 or other building or enclosure approved by the commissioner for such
112 purpose, if in the determination of the commissioner or such officer,

113 such animal is rabid or is suspected of being rabid, or has been bitten
114 by, or may have been bitten by, or has been in contact with or exposed
115 to, a rabid animal or an animal suspected of carrying rabies or any
116 wild animal as defined in subsection (d) of this section. The length of
117 such quarantine period shall be determined by the commissioner or
118 the State Veterinarian who shall take into account the age, general
119 health and vaccination history of the animal as well as current
120 accepted veterinary practices. Any suspected or confirmed case of
121 rabies shall be reported to the commissioner by a local director of
122 health or board of health or any veterinarian within twenty-four hours
123 of receipt of such information.

124 (b) Any dog, cat or other animal held in quarantine which is
125 clinically diagnosed as rabid by two licensed veterinarians, at least one
126 of whom shall be engaged in private practice, shall be humanely
127 euthanized immediately without prior notice to the owner or keeper of
128 same. No person who kills any animal in accordance with this
129 subsection shall be held criminally or civilly liable therefor.

130 (c) Any animal, other than a dog, which is quarantined pursuant to
131 this section which is not claimed by its owner or keeper within the
132 period of such quarantine may be sold by the municipal animal control
133 officer, if he finds that the animal is in good health. The animal may
134 only be sold as a pet to a person who satisfies the officer that the
135 animal will be given a good home and proper care. The municipal
136 animal control officer may retain possession of such animal for such
137 additional period of time as he may deem advisable in order to place
138 such animal. Any animal, other than a dog, which is quarantined
139 pursuant to this section which is not claimed by its owner or keeper
140 within the period of such quarantine and which is not sold by the
141 municipal animal control officer within five days of the expiration of
142 such quarantine, may be disposed of at the direction of the State
143 Veterinarian. No person who disposes of any animal in accordance
144 with this subsection shall be held criminally or civilly liable therefor.

145 (d) The commissioner, any animal control officer or any state or

146 municipal police officer may immediately kill any wild animal which
 147 is displaying behavior which causes the commissioner or such officer
 148 to reasonably conclude that such animal is rabid. For purposes of this
 149 subsection, "wild animal" means any mammal which is ferae naturae
 150 or wild by nature.

151 (e) The commissioner shall institute such measures as the
 152 commissioner deems necessary to prevent the transmission of rabies
 153 associated with animals in public settings, including, but not limited
 154 to, fairs, shows, exhibitions, petting zoos, riding stables, farm tours, pet
 155 shops and educational exhibits.

156 (f) The commissioner shall adopt regulations, in accordance with
 157 chapter 54, to implement the provisions of subsection (e) of this
 158 section. Such regulations may include requirements for the vaccination
 159 of animals against rabies, identification of animals, identification of
 160 owners or keepers of such animals, animal enclosures, posting of
 161 public advisories, reporting of rabies exposure incidents, records
 162 deemed necessary and proper relating to the vaccination of animals
 163 against rabies, and any other methods determined by the
 164 commissioner to prevent the transmission of rabies. Such regulations
 165 may consider the species of animal, the characteristics of the public
 166 settings and the nature and type of contact the public may have with
 167 animals.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2006	22-338
Sec. 2	October 1, 2006	22-339b
Sec. 3	October 1, 2006	22-339c
Sec. 4	October 1, 2006	22-359

ENV *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 07 \$	FY 08 \$
Department of Agriculture	GF - Cost	Minimal	Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

It is estimated that the additional administrative costs to the Department of Agriculture (DOA) due to the formulation, issuance and mailing of certificates would be minimal and within normal budgetary resources. The exact impact would be determined by the number of rabies exemptions issued by veterinarians and is unknown.

It is anticipated that the DOA can adopt regulations concerning prevention of rabies transmission from animals in public settings within existing resources. The agency has been working in this area.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR Bill Analysis
sSB 411****AN ACT CONCERNING EXEMPTION FROM RABIES
VACCINATION REQUIREMENTS.****SUMMARY:**

This bill allows a veterinarian to waive the rabies vaccine requirement for animals that may be harmed by it. The waiver is valid for one year, after which it must be renewed or the animal must receive the vaccination. Current law requires all cats and dogs age three months or older to receive a rabies vaccination, which is valid for one year. The animal must receive a booster one year after the initial vaccination and be vaccinated at least every three years. Animals revaccinated after age one must be given boosters at least every three years.

The bill requires the agriculture commissioner to adopt regulations instituting measures necessary to prevent rabies transmission from animals in public settings (e.g., petting zoos and educational exhibits).

The bill also makes minor and technical changes.

EFFECTIVE DATE: October 1, 2006

RABIES VACCINE EXEMPTION***Waiver Process***

The bill allows a licensed veterinarian to exempt a cat or dog from the rabies vaccination if, after an exam, he determines that it would endanger the animal's life due to disease or other medical considerations. The veterinarian must complete and submit an exemption form to the Agriculture Department, which must issue an exemption certificate. It appears the department must provide copies of the certificate to the veterinarian, the animal owner, and the animal

control officer in the town where the animal owner lives. By law, violations of rabies vaccination requirements are an infraction. The bill extends this to violations of the provisions pertaining to vaccination exemptions.

Submission to Town Clerk

By law, a dog owner must annually (1) have his animal licensed by the town clerk where he lives and (2) provide the town clerk with a copy of a rabies vaccination certificate signed by a veterinarian. The bill requires an owner whose animal received a rabies vaccination exemption certificate to file a copy of it with the town clerk, when he applies for a dog license.

RABIES PREVENTION IN PUBLIC SETTINGS

Through regulation, the bill requires the commissioner to institute measures he deems necessary to prevent rabies transmission from animals in public settings, including fairs, shows, exhibitions, petting zoos, riding stables, farm tours, pet shops, and educational exhibits.

The regulations may include:

1. requirements for animal vaccination against rabies,
2. identification of animals or their owners or keepers,
3. animal enclosures,
4. posting of public advisories,
5. rabies exposure incident reports,
6. records deemed necessary and proper on the animal vaccination, and
7. any other methods the commissioner determines to prevent the rabies transmission.

The regulations may consider the animal species, the characteristics of the public settings, and the nature and type of contact the public

may have with animals.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 26 Nay 0 (03/10/2006)