



General Assembly

February Session, 2006

Raised Bill No. 5795

LCO No. 3040

03040_____ENV

Referred to Committee on Environment

Introduced by:
(ENV)

**AN ACT CONCERNING THE SPAYING, NEUTERING AND
VACCINATION OF DOGS AND CATS.**

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

1 Section 1. Section 22-380e of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 As used in sections 22-380e to 22-380m, inclusive:

4 (1) "Commissioner" means the Commissioner of Agriculture;

5 (2) "Program" means the animal population control program;

6 (3) "Account" means the animal population control account;

7 (4) "Participating veterinarian" means any veterinarian who has
8 been certified to participate in the program by the commissioner;

9 (5) "Pound" means any state or municipal facility where
10 impounded, quarantined or stray dogs and cats are kept or any
11 veterinary hospital or commercial kennel where such dogs or cats are
12 kept by order of a municipality;

13 (6) "Eligible [owner] person" means: [a]

14 (A) [person] A resident of this state who has purchased or adopted a
15 dog or cat from a pound; [and who is a resident of this state;]

16 (B) A resident of this state who rescues free-roaming cats and has
17 signed a form provided by the commissioner and issued by a
18 registered nonprofit organization incorporated in this state certifying
19 that cats presented for low-cost sterilization and vaccination, as
20 provided in section 22-380i, as amended by this act, shall be free-
21 roaming, delivered to the veterinarian in a humane trap and ear-tipped
22 during the operation;

23 (C) A resident of this state who is recognized by a municipality as a
24 keeper of free-roaming cats pursuant to section 22-339d, as amended
25 by this act; or

26 (D) A resident of this state who is the owner or keeper of the dog or
27 cat being spayed or neutered, has signed a consent form issued by the
28 commissioner certifying that he or she is the owner or keeper and, if
29 necessary, authorizing a designated person to present the dog or cat
30 for the operation, and is a recipient of or eligible for one of the
31 following public assistance programs or any other public assistance
32 program determined by the commissioner to qualify as a low-income
33 person:

34 (i) The food stamp program authorized by Title XIII of the federal
35 Food and Agriculture Act of 1977, 7 USC 2011 et seq.;

36 (ii) The supplemental security income program authorized by Title
37 XVI of the federal Social Security Act, 42 USC 1381 et seq.;

38 (iii) The federal Temporary Assistance for Needy Families Act
39 authorized by 42 USC 601 et seq.; or

40 (iv) The Medicaid program authorized by Title IX of the federal
41 Social Security Act, 42 USC 1381;

42 (7) "Medically unfit" means (A) unsuitable for a surgical procedure
43 due to any medical condition that may place a dog or cat at life-
44 threatening risk if a surgical procedure is performed on such animal,
45 as determined by a participating veterinarian, or (B) unsuitable for
46 sterilization due to insufficiency in age, as determined by a
47 participating veterinarian, of a dog or cat under the age of six months;

48 (8) "Neuter" means the surgical procedure of castration on a male
49 dog or cat;

50 (9) "Spay" means the surgical procedure of ovariectomy on a
51 female dog or cat; [and]

52 (10) "Voucher" means a nontransferable document provided by the
53 commissioner and issued by a pound, the commissioner or a registered
54 nonprofit organization incorporated in this state to an eligible [owner]
55 person authorizing payment of a predetermined amount from the
56 animal population control account to a participating veterinarian; and

57 (11) "Free-roaming cat" means a domestic cat that is not owned by a
58 person.

59 Sec. 2. Section 22-380f of the general statutes is repealed and the
60 following is substituted in lieu thereof (*Effective October 1, 2006*):

61 (a) No pound shall sell or give away any unspayed or unneutered
62 dog or cat to any person unless such pound receives forty-five dollars
63 from the person buying or adopting such dog or cat. Funds received
64 pursuant to this section shall be paid quarterly by the municipality
65 into the animal population control account established under section
66 22-380g, as amended by this act. At the time of receipt of such
67 payment, the pound shall provide a voucher, for the purpose of
68 sterilization and vaccination benefits, as provided in section 22-380i, as
69 amended by this act, to the person buying or adopting such dog or cat.
70 Such voucher shall be on a form provided by the commissioner and
71 signed by the eligible owner. Such voucher shall become void after

72 sixty days from the date of adoption unless a participating veterinarian
73 certifies that the dog or cat is medically unfit for surgery. Such
74 certification shall be on a form provided by the commissioner and
75 specify a date by which such dog or cat may be fit for sterilization. If
76 the surgery is performed more than thirty days after such specified
77 date, the voucher shall become void. In the case of a dog or cat that has
78 been previously sterilized or is permanently medically unfit for
79 sterilization, as determined by a participating veterinarian, the
80 voucher shall be void and the eligible owner may apply to the
81 commissioner for a refund in the amount of forty-five dollars.

82 (b) Notwithstanding the provisions of subsection (a) of this section,
83 no pound shall receive forty-five dollars from the Connecticut
84 Humane Society for any unsterilized cat or dog that is given by such
85 pound to the Connecticut Humane Society, provided such cat or dog is
86 sterilized prior to the adoption of such animal from the Connecticut
87 Humane Society. Such sterilization shall not be required if a licensed
88 veterinarian certifies, in writing, that the animal is medically unfit for
89 sterilization surgery.

90 (c) The Connecticut Humane Society shall submit a biannual report
91 to the [Animal Population Control Fund] Commissioner of Agriculture
92 that shall include, but not be limited to, the municipal facility from
93 which any animal described in subsection (b) of this section was taken,
94 the impound number of such animal, the species and gender of such
95 animal, the date that the Connecticut Humane Society received the
96 animal and the date of sterilization for such animal.

97 (d) Upon a finding that the Connecticut Humane Society has failed
98 to comply with any provision of subsection (b) or (c) of this section, the
99 Commissioner of Agriculture may terminate the Connecticut Humane
100 Society's exemption from the payment of the forty-five-dollar fee
101 required pursuant to subsection (a) of this section.

102 (e) An eligible person who receives public assistance may
103 participate in the animal population control program established

104 pursuant to section 22-380g, as amended by this act, if the person
105 submits proof that he or she is an eligible person, signs and presents a
106 voucher received from the Commissioner of Agriculture to a
107 veterinarian participating in the program and pays the participating
108 veterinarian a fee of ten dollars for a cat and twenty dollars for a dog.

109 (f) An eligible person who is a free-roaming cat rescuer may
110 participate in the animal population control program with respect to
111 the free-roaming cats if the person submits proof that he or she is an
112 eligible person, presents a signed voucher received from a registered
113 nonprofit corporation to a veterinarian participating in the program
114 and pays the participating veterinarian a fee of ten dollars per cat.

115 (g) An eligible person recognized by a municipality as a free-
116 roaming cat keeper pursuant to section 22-339d, as amended by this
117 act, may participate in the animal population control program with
118 respect to the free-roaming cats if the person submits proof that he or
119 she is an eligible person, presents a signed voucher received from the
120 commissioner to a veterinarian participating in the program, and pays
121 the participating veterinarian a fee of ten dollars per cat.

122 Sec. 3. Section 22-380g of the general statutes is repealed and the
123 following is substituted in lieu thereof (*Effective October 1, 2006*):

124 (a) The Commissioner of Agriculture shall (1) establish an animal
125 population control program to provide for spaying and neutering
126 services to eligible [owners of dogs and cats] persons, (2) establish an
127 account to be known as the "animal population control account" that
128 may contain any moneys required by law to be deposited in the
129 account and any balance remaining in said account at the end of any
130 fiscal year shall be carried forward in said account for the fiscal year
131 next succeeding, and (3) create a standard dog licensing form and
132 distribute said form to veterinarians who voluntarily agree to make
133 such forms available for the convenience of dog owners and keepers.
134 The commissioner shall use not more than seven hundred seventy
135 thousand dollars in each fiscal year to provide low-cost sterilization

136 and vaccination benefits, as provided by section 22-380i, as amended
137 by this act, to eligible persons who have bought or received dogs or
138 cats from pounds. The commissioner [may] shall set aside [up to forty]
139 three hundred fifty thousand dollars for each fiscal year for the
140 purpose of [providing assistance to charitable programs for the
141 sterilization and vaccination of feral] sterilizing and vaccinating free-
142 roaming cats.

143 (b) The commissioner may solicit and accept funds from any public
144 or private source of help to carry out the goals of the program,
145 including, but not limited to, the sterilization of [feral] free-roaming
146 cats as provided in section 22-339d, as amended by this act.

147 (c) Any revenue collected pursuant to the provisions of sections 12-
148 743, as amended by this act, 22-332, as amended by this act, 22-332d, as
149 amended by this act, 22-333, as amended by this act, 22-338, as
150 amended by this act, 22-350a, as amended by this act, 22-364, as
151 amended by this act, 22-380f, as amended by this act, and 22-380l shall
152 be deposited in the animal population control account. All money in
153 the account shall be used by the commissioner exclusively for the
154 implementation and promotion of the program and for the costs
155 associated with the administration of the program provided not more
156 than [one hundred eighty] three hundred thousand dollars may be
157 expended for administrative costs per year.

158 (d) The commissioner may suspend the program for all eligible
159 persons at any time that the amount of money available in the account
160 is less than three hundred thousand dollars. The commissioner [may]
161 shall reinstate the program when such amount is equal to or exceeds
162 three hundred thousand dollars. The commissioner may suspend that
163 portion of the program for eligible persons who have not bought or
164 received dogs or cats from pounds at any time when the amount of
165 money available in the account is less than four hundred thousand
166 dollars. The commissioner shall reinstate the program for eligible
167 persons who have not bought or received dogs or cats from pounds

168 when such amount is equal to or exceeds four hundred thousand
169 dollars.

170 Sec. 4. Section 22-380i of the general statutes is repealed and the
171 following is substituted in lieu thereof (*Effective October 1, 2006*):

172 (a) The program established under section 22-380g, as amended by
173 this act, shall provide for payment to any participating veterinarian of
174 an amount equivalent to the voucher issued pursuant to section 22-
175 380f, as amended by this act, for each animal sterilization and
176 vaccinations, coincident with sterilization, performed by such
177 veterinarian upon a dog or cat [owned] presented by an eligible
178 [owner] person. For a sterilization procedure, such voucher shall be in
179 the amount of one hundred twenty dollars for a female dog, one
180 hundred dollars for a male dog, seventy dollars for a female cat and
181 fifty dollars for a male cat. In the case of a sterilization fee exceeding
182 the amount of the voucher, the eligible [owner] person shall pay the
183 participating veterinarian the difference between such fee and the
184 amount of the voucher. [Such voucher] A sterilization fee may not
185 exceed the amount of the voucher unless the eligible person has
186 bought or received a dog or cat from a pound. Vouchers shall be in the
187 amount of twenty dollars, in addition to the amount designated for
188 sterilization, for vaccinations coincident with the sterilization of a dog
189 or cat [owned] presented by an eligible [owner] person.

190 (b) The program established under section 22-380g, as amended by
191 this act, shall further provide for a payment to any participating
192 veterinarian for the presurgical immunization of dogs against rabies,
193 distemper, hepatitis, leptospirosis and parvovirus, or the presurgical
194 immunization of cats against rabies, feline panleukopenia, calici,
195 pneumonitis and rhinotracheitis, as the case may be, on animals not
196 previously immunized. The payment shall be for no more than ten
197 dollars for each immunization procedure and, in any case, not more
198 than twenty dollars for one animal. Such veterinarian shall be paid by
199 the commissioner upon the submission of a voucher, to be provided by

200 the commissioner and signed by the veterinarian performing such
201 operation and by the [owner] eligible person, stating that the animal
202 has been immunized coincident with a spaying or neutering operation
203 under the program.

204 (c) The participating veterinarian shall be paid by the commissioner
205 for sterilization and coincident vaccinations of a dog or cat [owned]
206 presented by an eligible [owner] person upon submission of the
207 voucher issued pursuant to section 22-380f, as amended by this act,
208 and signed by such veterinarian.

209 Sec. 5. Section 22-380j of the general statutes is repealed and the
210 following is substituted in lieu thereof (*Effective October 1, 2006*):

211 In the event that any person who submits any cat or dog for spaying
212 or neutering to a participating veterinarian fails to retrieve such cat or
213 dog within the time recommended by such participating veterinarian,
214 such veterinarian shall transfer custody of such dog or cat to a state
215 animal control officer, regional animal control officer or a municipal
216 animal control officer, as defined in section 22-327. No participating
217 veterinarian who has performed services provided for in sections 22-
218 380e to 22-380m, inclusive, as amended by this act, shall be denied
219 payment from the account due to any failure of an [owner of a dog or
220 cat] eligible person to retrieve such dog or cat.

221 Sec. 6. Subsections (a) and (b) of section 12-743 of the general
222 statutes are repealed and the following is substituted in lieu thereof
223 (*Effective October 1, 2006*):

224 (a) Any taxpayer filing a return under this chapter may contribute
225 any part of a refund under this chapter to (1) the organ transplant
226 account established pursuant to section 17b-288, (2) the AIDS research
227 education account established pursuant to section 19a-32a, (3) the
228 endangered species, natural area preserves and watchable wildlife
229 account established pursuant to section 22a-27l, (4) the breast cancer
230 research and education account established pursuant to section 19a-

231 32b, [or] (5) the safety net services account established pursuant to
232 section 17b-112f, or (6) the animal population control account
233 established pursuant to section 22-380g, as amended by this act, by
234 indicating on the tax return, in a manner provided for by the
235 Commissioner of Revenue Services pursuant to subsection (b) of this
236 section, the amount to be contributed to the account.

237 (b) The Commissioner of Revenue Services shall revise the tax
238 return form to implement the provisions of subsection (a) of this
239 section which form shall include spaces on the return in which
240 taxpayers may indicate their intention to make a contribution, in a
241 whole dollar amount, in accordance with this section. The
242 commissioner shall include in the instructions accompanying the tax
243 return a description of the purposes for which the organ transplant
244 account, the AIDS research education account, the endangered species,
245 natural area preserves and watchable wildlife account, the breast
246 cancer research and education account [and] the safety net account and
247 the animal population control account were created.

248 Sec. 7. Subsection (c) of section 22-332 of the general statutes is
249 repealed and the following is substituted in lieu thereof (*Effective*
250 *October 1, 2006*):

251 (c) The town treasurer or other fiscal officer shall pay from the dog
252 fund account the advertising expense incurred under the provisions of
253 this section upon receipt of an itemized statement together with a copy
254 of the advertisement as published. Any person who purchases a dog as
255 a pet shall pay a fee of [five] twenty-five dollars and procure a license
256 and tag for such dog from the town clerk, in accordance with the
257 provisions of section 22-338, as amended by this act. Five dollars of
258 said fee shall be paid by the town treasurer or other fiscal officer into
259 the dog fund account. Fifteen dollars of said fee shall be paid by the
260 town treasurer or other fiscal officer into the animal population control
261 account established pursuant to 22-380g, as amended by this act.

262 Sec. 8. Section 22-332d of the general statutes is repealed and the

263 following is substituted in lieu thereof (*Effective October 1, 2006*):

264 (a) Any animal control officer for a municipality which has adopted
265 an ordinance under subsection (b) of section 22-339d, as amended by
266 this act, may take into custody any cat found to be damaging property
267 other than property of its owner or keeper or causing an unsanitary,
268 dangerous or unreasonably offensive condition unless such cat can be
269 identified as under the care of its owner or a registered keeper of
270 [feral] free-roaming cats. The officer shall impound such cat at the
271 pound serving the town where the cat is taken unless, in the opinion of
272 a licensed veterinarian, the cat is so injured or diseased that it should
273 be destroyed immediately, in which case the municipal animal control
274 officer of such town may cause the cat to be mercifully killed by a
275 licensed veterinarian or disposed of as the State Veterinarian may
276 direct. The municipal animal control officer shall immediately notify
277 the owner or keeper of any cat so taken, if known, of its impoundment.
278 If the owner or keeper of any such cat is unknown, the officer shall
279 immediately tag or employ such other suitable means of identification
280 of the cat as may be approved by the Chief Animal Control Officer and
281 shall promptly cause a description of such cat to be published once in
282 the lost and found column of a newspaper having a circulation in such
283 town.

284 (b) If such cat is not claimed by and released to the owner within
285 seven days after the date of publication, the municipal animal control
286 officer, upon finding such cat to be in satisfactory health, may have a
287 licensed veterinarian spay or neuter any such cat and sell such cat to
288 any person who satisfies such officer that he is purchasing it as a pet
289 and that he can give it a good home and proper care. The municipal
290 animal control officer may retain possession of such cat for such
291 additional period of time as he may deem advisable in order to place
292 such cat as a pet and may have a licensed veterinarian spay or neuter
293 such cat. If, within such period, any cat is not claimed by and released
294 to the owner or keeper or purchased as a pet, the officer shall cause
295 such cat to be mercifully killed by a licensed veterinarian or disposed

296 of as the State Veterinarian may direct. No person who so destroys a
297 cat shall be held criminally or civilly liable therefor nor shall any
298 licensed veterinarian who spays or neuters a cat pursuant to this
299 section be held civilly liable, including, but not limited to, liability for
300 reconstructive neutical implantation surgery.

301 (c) Any cat captured or impounded under the provisions of
302 subsection (a) of this section shall be redeemed by the owner or keeper
303 thereof, or the agent of such owner or keeper, upon proper
304 identification, and presentation to the municipal animal control officer
305 of a license, tag or other means of identification for such cat, and upon
306 the payment by such owner or keeper or his agent of (1) if the cat is
307 unsterilized, the redemption fee established by the municipality,
308 [which shall not exceed fifteen dollars] provided the fee shall be not
309 less than twenty-five dollars, and (2) the cost of advertising incurred
310 under the provisions of subsection (a) of this section. Not less than
311 twenty dollars of said fee shall be paid by the town treasurer or other
312 fiscal officer into the animal population control account established
313 pursuant to 22-380g, as amended by this act. Not less than five dollars
314 of said fee shall be paid by the town treasurer or other fiscal officer
315 into the dog fund account. A cat found at large shall be spayed or
316 neutered not later than sixty days after being redeemed, except where
317 the cat is already spayed or neutered, or the cat shall be impounded.
318 When the owner or keeper of any [such] unsterilized impounded cat
319 fails to redeem such cat within twenty-four hours after receiving
320 notification to do so, or, where the owner or keeper was unknown,
321 within twenty-four hours after notification was effected by means of
322 publication in a newspaper, such owner or keeper shall pay, in
323 addition to such [redemption] public safety fee and the cost of
324 advertising, the amount determined by the municipality to be the full
325 cost of detention and care of such impounded cat. In addition, any
326 owner or keeper of any [such] unsterilized impounded cat who fails to
327 redeem such cat within one hundred twenty hours after receiving
328 notification to do so shall have committed an infraction. The legislative
329 body of the municipality shall set any fees imposed by the

330 municipality under this section, provided the fee for purchasing a cat
331 for a pet shall be not less than twenty dollars. Five dollars of said fee
332 shall be paid by the town treasurer or other fiscal officer into the dog
333 fund account. Fifteen dollars of said fee shall be paid by the town
334 treasurer or other fiscal officer into the animal population control
335 account established pursuant to 22-380g, as amended by this act.

336 Sec. 9. Section 22-333 of the general statutes is repealed and the
337 following is substituted in lieu thereof (*Effective October 1, 2006*):

338 Any dog, cat or other animal captured or impounded under the
339 provisions of this chapter shall be redeemed by the owner or keeper
340 thereof, or the agent of such owner or keeper, upon proper
341 identification, and, if the animal in question is a dog, upon
342 presentation to the municipal animal control officer of a license and tag
343 for such dog, and upon the payment by such owner or keeper or his
344 agent of (1) the redemption fee established by the municipality, [which
345 shall not exceed fifteen dollars] provided the fee shall be not less than
346 twenty-five dollars, and (2) the cost of advertising incurred under the
347 provisions of section 22-332, as amended by this act; provided no dog,
348 cat or other animal seized for doing damage under the provisions of
349 section 22-355, as amended, shall be released except upon written
350 order of the commissioner, the Chief Animal Control Officer or an
351 animal control officer. Not less than twenty dollars of said fee shall be
352 paid by the town treasurer or other fiscal officer into the dog fund
353 account. A dog found running at large shall be spayed or neutered not
354 later than sixty days after being redeemed, except where said dog is
355 already spayed or neutered, or the dog shall be impounded. When the
356 owner or keeper of any such impounded dog, cat or other animal fails
357 to redeem such dog, cat or other animal within twenty-four hours after
358 receiving notification to do so, or, where the owner was unknown,
359 within twenty-four hours after notification was effected by means of
360 publication in a newspaper, such owner or keeper shall pay, in
361 addition to such redemption fee and the cost of advertising, the
362 amount determined by the municipality to be the full cost of detention

363 and care of such impounded dog, cat or other animal. The owner or
364 keeper of any dog, cat or other animal impounded for the purposes of
365 quarantine, as set forth in sections 22-358, as amended, and 22-359,
366 shall pay the amount determined by the municipality to be the full cost
367 of detention and care of such quarantined animal. In addition, any
368 owner or keeper of any such impounded dog, cat or other animal who
369 fails to redeem such dog, cat or other animal within one hundred
370 twenty hours after receiving notification to do so shall have committed
371 an infraction. The legislative body of the municipality shall set any fees
372 imposed by the municipality under this section.

373 Sec. 10. Section 22-334 of the general statutes is repealed and the
374 following is substituted in lieu thereof (*Effective October 1, 2006*):

375 (a) On or before the tenth day of each month, each municipal animal
376 control officer shall present to the chief administrative officer of the
377 town a sworn statement of the services rendered by the municipal
378 animal control officer in the performance of official duties during the
379 previous month. The commissioner shall provide the forms for such
380 statements and a copy of each such statement shall be forwarded to the
381 commissioner by the chief administrative officer promptly upon
382 receipt. Upon presentation of such statement, each municipal animal
383 control officer, other than an officer employed on a salary basis, shall
384 be paid by such city or town from the dog fund account (1) [five] ten
385 dollars for each dog returned to its owner or sold as a pet and four
386 dollars for each dog captured, impounded and killed, or otherwise
387 disposed of as provided in this chapter, (2) such expenses as the
388 appointing authority may approve, and (3) such other remuneration as
389 the officers having jurisdiction thereof direct. Each municipal animal
390 control officer employed on a salary basis shall be paid, in addition to
391 a regular salary, a bonus of [one dollar] six dollars for each dog
392 returned to its owner or sold as a pet. Each municipal animal control
393 officer shall pay to the town treasurer or other fiscal officer [for deposit
394 in the dog fund account] all moneys received by the officer in the
395 performance of official duties. Each regional animal control officer

396 shall pay to the commissioner for deposit with the State Treasurer all
397 such moneys received by the officer. Such moneys shall be deposited
398 in the dog fund account and credited to the town from which it was
399 collected for purposes of payment of the amount due under subsection
400 (b) of section 22-331a.

401 (b) On or before the tenth day of each month, any registered
402 nonprofit corporation that has issued a low-cost sterilization and
403 vaccination voucher to a free-roaming cat rescuer shall present to the
404 Commissioner of Agriculture a signed statement, including, but not
405 limited to, the number of vouchers issued, the dates of issue and the
406 recipients of the vouchers.

407 Sec. 11. Subsection (a) of section 22-338 of the general statutes is
408 repealed and the following is substituted in lieu thereof (*Effective*
409 *October 1, 2006*):

410 (a) Each owner or keeper of a dog of the age of six months or older,
411 except dogs kept under a kennel license as provided in section 22-342,
412 shall cause such dog to be licensed in the town clerk's office in the
413 town where such dog is kept, on or before June thirtieth, annually, or
414 at such time as such dog becomes six months old, and annually
415 thereafter, on or before June thirtieth. The owner or keeper shall pay to
416 such town clerk for such license the sum of seven dollars for each
417 neutered male or spayed female dog and the sum of twelve dollars for
418 each unneutered male dog and each unspayed female dog, and one
419 additional dollar in each case as the town clerk's fee for issuing a tag
420 and license as provided in section 22-340. Two dollars from each
421 license fee collected for a neutered or spayed dog shall be deposited
422 into the [Animal Population Control Fund] animal population control
423 account established pursuant to section 22-380g, as amended by this
424 act. If an owner or keeper of a dog fails to procure a license as required
425 by this section, such owner or keeper shall pay the appropriate license
426 fee specified in this section, the town clerk's fee and a penalty of [one
427 dollar] fifteen dollars for each month or fraction thereof the dog

428 remains unlicensed after receipt of written notice from the town clerk
429 pursuant to section 22-334, as amended by this act, not more than
430 thirty dollars. If payment is not made to the town clerk on or before
431 sixty days of written notice, the owner or keeper shall be subject to a
432 fine of not more than fifty dollars. At no time shall the owner or keeper
433 be relieved of proper licensing of the dog as required by section 22-338,
434 as amended by this act. Fifteen dollars of any fines paid pursuant to
435 this subsection shall be paid to the town treasurer or other fiscal officer
436 into the animal population control account.

437 Sec. 12. Section 22-339c of the general statutes is repealed and the
438 following is substituted in lieu thereof (*Effective October 1, 2006*):

439 (a) A certificate of rabies vaccination shall be (1) a Form 50
440 approved by the National Association of Public Health Veterinarians,
441 (2) any form approved by the State Veterinarian or (3) any form that
442 has the following information regarding the vaccinated animal: (A)
443 The name and address of [its] the owner or keeper; (B) a description of
444 the animal [which] that specifies [its] the species, breed, age, color or
445 markings and sex of the animal; (C) the date of the vaccination, the
446 duration of the immunity provided by the vaccination, the producer of
447 the vaccine and the vaccine serial number; (D) the rabies tag number;
448 and (E) the signature and license number of the veterinarian
449 administering the vaccination. Such certificate shall be the official
450 proof of rabies vaccination submitted to a town clerk in accordance
451 with the provisions of this section and section 22-338, as amended by
452 this act, or 22-339a.

453 (b) A veterinarian, at the time of vaccinating a dog, shall complete a
454 rabies certificate in triplicate. The veterinarian shall distribute the
455 original copy to the owner or keeper of the dog and one copy to the
456 town or city clerk where the dog is kept, and shall retain one copy for
457 the veterinarian's records. Upon receipt of a copy of a rabies certificate,
458 the town clerk shall send written notice to the owner or keeper of an
459 unlicensed dog in accordance with the licensing requirements

460 provided for in section 22-338, as amended by this act. If the owner or
461 keeper of the unlicensed dog fails to license the dog not later than
462 thirty days after receipt of the notice, the town clerk shall notify the
463 municipal or regional animal control officer of a violation of section 22-
464 338, as amended by this act. The names and addresses of dog owners
465 and keepers listed on rabies certificates received by town clerks shall
466 not be made public and shall be used for no other purpose than to
467 enforce the licensing requirements provided for in section 22-338, as
468 amended by this act.

469 [(b)] (c) The owner or keeper of a dog or cat shall keep a certificate,
470 or copy thereof, stating that such dog or cat has been vaccinated
471 against rabies and shall make such certificate or copy available to any
472 animal control officer, regional animal control officer or municipal
473 animal control officer of any municipality for inspection.

474 [(c)] (d) An antirabies clinic, upon request of any municipal animal
475 control officer or animal control officer, shall submit to such officer a
476 copy of any such certificate issued. Such copy shall be used by the
477 officer to search for unlicensed dogs in accordance with the provisions
478 of section 22-349, as amended by this act.

479 Sec. 13. Section 22-339d of the general statutes is repealed and the
480 following is substituted in lieu thereof (*Effective October 1, 2006*):

481 (a) A municipality may adopt an ordinance requiring the
482 [registration, within one year of the adoption of such ordinance,]
483 registration of keepers of [feral] free-roaming cats in residential or
484 commercial areas. Such ordinance shall require that any such keeper
485 shall register with the animal control officer for such municipality who
486 shall provide information to the registrant regarding the proper care
487 and management of [feral] free-roaming cats. For purposes of this
488 section, ["feral cat"] "free-roaming" means a [free-roaming] domestic
489 cat which is not owned and "keeper" means any person or
490 organization, harboring, regularly feeding or having in his or its
491 possession any [feral] free-roaming cat. Refusal to permit any animal

492 control officer to impound a [feral] free-roaming cat shall be deemed
493 evidence of keeping. Such ordinance shall require that such keepers
494 shall provide for the vaccination of such cats against rabies and the
495 sterilization of such cats. Such keeper shall be considered an eligible
496 [owner] person for purposes of the animal population control program
497 established under sections 22-380e to 22-380m, inclusive, as amended
498 by this act. [provided such cats are adopted from a municipal pound.]

499 (b) A municipality may adopt an ordinance providing that no
500 person owning or keeping any cat shall permit such animal to (1)
501 substantially damage property other than the property of the owner or
502 keeper, or (2) cause an unsanitary, dangerous or unreasonably
503 offensive condition. Violation of such provision shall be an infraction.

504 (c) A municipality and an officer or employee of a municipality that,
505 in order to control cat overpopulation, adopts an ordinance for the
506 registration of free-roaming cat keepers pursuant to section 22-339d, as
507 amended by this act, shall be immune from criminal and civil liability,
508 except for wilful and wanton misconduct, for damages resulting from
509 a free-roaming cat. A municipality and an officer or employee of a
510 municipality that allows a dog park shall be immune from criminal
511 and civil liability, except for wilful and wanton misconduct, for
512 damages resulting from the use of the park by dogs.

513 (d) A veterinarian who sterilizes free-roaming cats and a keeper of
514 free-roaming cats who is recognized by a municipality pursuant to
515 section 22-339d, as amended by this act, shall be immune from
516 criminal and civil liability, except for wilful and wanton misconduct,
517 for damages that may result from his or her act or omissions.

518 Sec. 14. Subsection (b) of section 22-340 of the general statutes is
519 repealed and the following is substituted in lieu thereof (*Effective*
520 *October 1, 2006*):

521 (b) The town clerk shall provide for the issuance and renewal
522 through the mail of licenses issued under sections 22-338, as amended

523 by this act, and 22-339, as amended by this act. The town clerk [may]
524 shall make applications for such licenses available at such facilities as
525 kennels, pet stores, veterinarian offices, humane society offices and pet
526 grooming establishments.

527 Sec. 15. Section 22-349 of the general statutes is repealed and the
528 following is substituted in lieu thereof (*Effective October 1, 2006*):

529 The town clerk of each town shall, annually, on or before July first,
530 provide the municipal animal control officer or regional animal control
531 officer with [a copy of each dog license issued by such clerk] the name
532 and address of the owner or keeper of each unlicensed dog. Such
533 municipal animal control officer or regional animal control officer shall
534 thereupon make diligent search for any unlicensed dog required to be
535 licensed by section 22-338, as amended by this act. The commissioner
536 shall adopt regulations in accordance with the provisions of chapter 54
537 establishing procedures for such search. If the owner or keeper of any
538 such unlicensed dog is not known, the municipal animal control officer
539 or regional animal control officer shall impound such dog. The owning
540 or keeping of an unlicensed or impounded dog and the failure to
541 purchase a license and pay the advertising and redemption fee within
542 one hundred and twenty hours from the time the dog was impounded
543 shall be an infraction. No municipal or regional animal control officer
544 may make public the name or address of any dog owner or keeper
545 provided by a town clerk pursuant to the requirements of this section
546 or use such name or address for any purpose other than to enforce the
547 licensing requirements provided for in section 22-338, as amended by
548 this act.

549 Sec. 16. Section 22-350a of the general statutes is repealed and the
550 following is substituted in lieu thereof (*Effective October 1, 2006*):

551 Any person who confines or tethers a dog for an unreasonable
552 period of time shall be fined not more than one hundred dollars for the
553 first offense, not less than one hundred dollars or more than two
554 hundred fifty dollars for a second offense, and not less than two

555 hundred fifty dollars or more than five hundred dollars for any
556 subsequent offense. One-quarter of a fine levied pursuant to this
557 section shall be paid by the town treasurer or other fiscal officer into
558 the dog fund account, and one-quarter of the fine shall be paid into the
559 animal population control account established pursuant to section 22-
560 380g, as amended by this act.

561 Sec. 17. Section 22-364 of the general statutes is repealed and the
562 following is substituted in lieu thereof (*Effective October 1, 2006*):

563 (a) No owner or keeper of any dog shall allow such dog to roam at
564 large upon the land of another and not under control of the owner or
565 keeper or the agent of the owner or keeper, nor allow such dog to roam
566 at large on any portion of any public highway and not attended or
567 under control of such owner or keeper or his agent, provided nothing
568 in this subsection shall be construed to limit or prohibit the use of
569 hunting dogs during the open hunting or training season. The
570 unauthorized presence of any dog on the land of any person other than
571 the owner or keeper of such dog or on any portion of a public highway
572 when such dog is not attended by or under the control of such owner
573 or keeper, shall be prima facie evidence of a violation of the provisions
574 of this subsection. Violation of any provision of this subsection shall be
575 an infraction and be fined not less than forty dollars.

576 (b) Any owner or keeper of any dog who, knowing of the vicious
577 propensities of such dog and having violated the provisions of
578 subsection (a) of this section within the preceding year, intentionally or
579 recklessly violates the provisions of subsection (a) of this section shall
580 be fined not more than one thousand dollars or be imprisoned not
581 more than six months, or both, if such dog, while roaming at large,
582 causes physical injury to another person and such other person was
583 not teasing, tormenting or abusing such dog.

584 (c) One-quarter of a fine levied pursuant to this section shall be paid
585 by the town treasurer or other fiscal officer into the dog fund account,
586 and one-quarter of the fine shall be paid into the animal population

587 control account established pursuant to section 22-380g, as amended
 588 by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	22-380e
Sec. 2	<i>October 1, 2006</i>	22-380f
Sec. 3	<i>October 1, 2006</i>	22-380g
Sec. 4	<i>October 1, 2006</i>	22-380i
Sec. 5	<i>October 1, 2006</i>	22-380j
Sec. 6	<i>October 1, 2006</i>	12-743(a) and (b)
Sec. 7	<i>October 1, 2006</i>	22-332(c)
Sec. 8	<i>October 1, 2006</i>	22-332d
Sec. 9	<i>October 1, 2006</i>	22-333
Sec. 10	<i>October 1, 2006</i>	22-334
Sec. 11	<i>October 1, 2006</i>	22-338(a)
Sec. 12	<i>October 1, 2006</i>	22-339c
Sec. 13	<i>October 1, 2006</i>	22-339d
Sec. 14	<i>October 1, 2006</i>	22-340(b)
Sec. 15	<i>October 1, 2006</i>	22-349
Sec. 16	<i>October 1, 2006</i>	22-350a
Sec. 17	<i>October 1, 2006</i>	22-364

Statement of Purpose:

To provide low-cost dog and cat sterilization and vaccination benefits to a broader population and to increase the amount and number of fees and fines that are deposited into the animal population control account.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]