



STATE OF CONNECTICUT  
DEPARTMENT OF AGRICULTURE



TESTIMONY OF THE  
COMMISSIONER OF AGRICULTURE  
REGARDING  
RAISED HOUSE BILL No. 7392  
AN ACT CONCERNING SEIZURE AND CUSTODY OF NEGLECTED OR  
CRUELLY TREATED ANIMALS  
BEFORE THE  
JUDICIARY COMMITTEE  
March 21, 2007

Senator McDonald, Representative Lawlor and members of the Judiciary Committee, I am F. Philip Prelli, Commissioner of Agriculture and I am here to support Raised House Bill No. 7392, "An Act Concerning Seizure and Custody of Neglected or Cruelly Treated Animals. This is a Department of Agriculture initiative, and we ask that you support this bill.

The primary purpose of this legislative proposal is to better define and clarify the language of the section to enable animal control officers to take "physical custody" of animals that the animal control officer has reasonable cause to believe are in imminent harm and are neglected or is cruelly treated. The proposal also would have the animal control officer file a petition to the court within 96 hours after taking physical custody stating the facts of cruelty or neglect and requires the courts to issue a summons for a hearing not later than 14 days after the seizure. It should be pointed out that this is not the normal procedure currently in use by State Animal Control Officers when they seize animals but would only be used if the animal is in imminent danger. The usual procedure is for the officer to investigate the situation; if possible, work with the owner to alleviate the neglect or cruelty; and if that does not work, to obtain a warrant finding probable cause and then seize the animals. The show cause hearing would then follow the seizure of the animals.

The need for the clarification was brought to light in a case before Judge Berger. The court in its ruling had a difficult time interpreting each of the subsections of 22-329a to form a coherent process for seizure of neglected and cruelly-treated animals. The Department of Agriculture worked with the Attorney General's Office and the court clerks to clarify the language. We believe this properly addresses the issue as well as protecting the rights of the owners.

The bill also increases the surety bond from \$450 to \$500, increases the daily fee chargeable for upkeep of large animals while the animal is in temporary custody from \$15 to \$25, and clarifies that the Chief Elected Official of a municipality may auction, sell or give away an animal whose ownership has been vested to the municipality.

Section 2 of the bill deletes unnecessary and redundant language from the statutes. Section 2 of Public Act 04-222 initially established the Department of Agriculture's Farm to School Program. Section 2 of this bill repeals the 04-222 language as additional language again establishing the Program was passed in Section 21 of PA 06-135. The Department of Agriculture has been working with the Department of Education establishing a Memorandum of Understanding implementation of the finer details of the Farm to School Program.

Thank you again for the opportunity to comment on this bill.

For further information, please contact:

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