



General Assembly

February Session, 2008

Raised Bill No. 5829

LCO No. 2761

02761_____ENV

Referred to Committee on Environment

Introduced by:
(ENV)

**AN ACT CONCERNING THE IMPOUNDMENT OF ROAMING ANIMALS
AND PUBLIC SAFETY.**

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

1 Section 1. Section 22-332 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 (a) The Chief Animal Control Officer, any animal control officer or
4 any municipal animal control officer shall be responsible for the
5 enforcement of this chapter and shall make diligent search and inquiry
6 for any violation of any of its provisions. Any such officer may take
7 into custody (1) any dog found roaming in violation of the provisions
8 of section 22-364, (2) any dog not having a tag or plate on a collar about
9 its neck or on a harness on its body as provided by law or which is not
10 confined or controlled in accordance with the provisions of any order
11 or regulation relating to rabies issued by the commissioner in
12 accordance with the provisions of this chapter, or (3) any dog or other
13 animal found injured on any highway, neglected, abandoned or
14 cruelly treated. The officer shall impound such dog or other animal at
15 the pound serving the town where the [dog] it is taken unless, in the
16 opinion of a licensed veterinarian, the dog or other animal is so injured

17 or diseased that it should be destroyed immediately, in which case the
18 municipal animal control officer of such town may cause the dog or
19 other animal to be mercifully killed by a licensed veterinarian or
20 disposed of as the State Veterinarian may direct. The municipal animal
21 control officer shall immediately notify the owner or keeper of any dog
22 so taken, if known, of its impoundment. [Such officer shall
23 immediately notify the owner or keeper of any other animal which is
24 taken into custody, if such owner or keeper is known.] If the owner or
25 keeper of any such dog or other animal is unknown, the officer shall
26 immediately tag or employ such other suitable means of identification
27 of the dog or other animal as may be approved by the Chief Animal
28 Control Officer and shall promptly cause a description of such dog or
29 other animal to be published once in the lost and found column of a
30 newspaper having a circulation in such town.

31 (b) If such dog or other animal is not claimed by and released to the
32 owner within seven days after the date of publication, the municipal
33 animal control officer, upon finding such dog or other animal to be in
34 satisfactory health, may have a licensed veterinarian spay or neuter
35 such dog and sell such dog or other animal to any person who satisfies
36 such officer that he or she is purchasing it as a pet and that he or she
37 can give it a good home and proper care. The municipal animal control
38 officer may retain possession of such dog or other animal for such
39 additional period of time as he or she may deem advisable in order to
40 place such dog or other animal as a pet and may have a licensed
41 veterinarian spay or neuter such dog or other animal. If, within such
42 period, any dog or other animal is not claimed by and released to the
43 owner or keeper or purchased as a pet, the officer shall cause such dog
44 or other animal to be mercifully killed by a licensed veterinarian or
45 disposed of as the State Veterinarian may direct. Any veterinarian who
46 so destroys a dog shall be paid from the dog fund account. No person
47 who so destroys a dog or other animal shall be held criminally or
48 civilly liable therefor nor shall any licensed veterinarian who spays or
49 neuters a dog or other animal pursuant to this section be held civilly
50 liable, including, but not limited to, liability for reconstructive neutical

51 implantation surgery.

52 (c) The town treasurer or other fiscal officer shall pay from the dog
53 fund account the advertising expense incurred under the provisions of
54 this section upon receipt of an itemized statement together with a copy
55 of the advertisement as published. Any person who purchases a dog as
56 a pet shall pay a fee of five dollars and procure a license and tag for
57 such dog from the town clerk, in accordance with the provisions of
58 section 22-338 of the 2008 supplement to the general statutes.

59 (d) The Chief Animal Control Officer, any animal control officer or
60 any municipal animal control officer may take into custody any
61 livestock, as defined in section 22-278, or ratite, whose presence on any
62 highway or public property poses a threat to public safety or whose
63 presence on property other than the property of its owner or keeper
64 creates a threat to public safety or threat to other animals or property.
65 Such officer may impound such animal at the pound serving the town
66 where the animal was taken into custody or at any other suitable
67 facility, as determined by the commissioner. The municipal animal
68 control officer shall immediately notify the owner or keeper, if known,
69 of the impoundment of any livestock or ratite so taken. If the owner or
70 keeper of any such livestock or ratite is unknown, the officer shall
71 immediately tag or employ such other suitable means of identification
72 of the livestock or ratite as may be approved by the Chief Animal
73 Control Officer and shall promptly cause a description of such
74 livestock or ratite to be published once in the lost and found column of
75 a newspaper having a circulation in town where the animal was taken
76 into custody.

77 (e) The Chief Animal Control Officer, any animal control officer or
78 any municipal animal control officer may fine the owner or keeper of
79 livestock or a ratite taken into custody under subsection (d) of this
80 section sixty dollars for the first offense, two hundred fifty dollars for
81 the second offense and five hundred dollars for the third offense. The
82 owner or keeper of livestock or a ratite taken into custody pursuant to

83 subsection (d) of this section shall also be liable for costs associated
84 with the transportation and care of such livestock or ratite until such
85 livestock or ratite is returned to such owner or keeper.

86 (f) If such livestock or ratite is not claimed by and released to its
87 owner or keeper not later than seven days after the date of publication
88 pursuant to subsection (d) of this section, a municipal animal control
89 officer, upon finding such livestock or ratite to be in satisfactory health,
90 may sell such livestock or ratite or cause such livestock or ratite to be
91 mercifully killed by a licensed veterinarian or disposed of as the State
92 Veterinarian may direct. No person who mercifully kills livestock or a
93 ratite pursuant to this subsection and no person who disposes of
94 livestock or a ratite pursuant to this subsection shall be held criminally
95 or civilly liable for such killing or disposal.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2008	22-332

Statement of Purpose:

To enable animal control officers to impound roaming livestock and certain flightless birds, to establish an owner and keeper notification process, to establish fines for noncompliance by such owners and keepers and to enable municipal animal control officers to dispose of such livestock and flightless birds, subject to certain conditions.

[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.]