



General Assembly

Substitute Bill No. 5829

February Session, 2008

* HB05829ENV 031708 *

AN ACT CONCERNING PUBLIC SAFETY AND THE IMPOUNDMENT OF ROAMING LIVESTOCK, FLIGHTLESS BIRDS AND INJURED, NEGLECTED, ABANDONED OR CRUELLY TREATED DOMESTIC ANIMALS.

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 Section 22-332 of the general statutes is repealed and the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
13 domestic animal found injured on any highway, neglected, abandoned
14 or cruelly treated. The officer shall impound such dog or domestic
15 animal at the pound serving the town where [the dog] it is taken
16 unless, in the opinion of a licensed veterinarian, the dog or domestic
17 animal is so injured or diseased that it should be destroyed
18 immediately, in which case the municipal animal control officer of

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

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

53 who spays or neuters a dog or domestic animal pursuant to this
54 section be held civilly liable, including, but not limited to, liability for
55 reconstructive neutical implantation surgery.

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

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

81 (e) The Chief Animal Control Officer, any animal control officer or
82 any municipal animal control officer may fine the owner or keeper of
83 livestock or a ratite taken into custody under subsection (d) of this
84 section a total of sixty dollars for the first offense, regardless of the
85 number of livestock or ratites involved in such offense, two hundred

86 fifty dollars for the second offense occurring within fifteen days of the
87 first offense, regardless of the number of livestock or ratites involved
88 in the second offense and five hundred dollars for the third offense
89 occurring within thirty days of the first offense, regardless of the
90 number of livestock or ratites involved in the third offense. The owner
91 or keeper of livestock or a ratite taken into custody pursuant to
92 subsection (d) of this section shall also be liable for costs associated
93 with the transportation and care of such livestock or ratite until such
94 livestock or ratite is returned to such owner or keeper.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2008	22-332
-----------	-----------------	--------

ENV *Joint Favorable Subst.*