



General Assembly

Substitute Bill No. 5829

February Session, 2008

* HB05829PD 041508 *

**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 Section 22-332 of the general statutes is repealed and the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 found
13 injured on any highway, neglected, abandoned or cruelly treated. The
14 officer shall impound such dog at the pound serving the town where
15 the dog is taken unless, in the opinion of a licensed veterinarian, the
16 dog is so injured or diseased that it should be destroyed immediately,
17 in which case the municipal animal control officer of such town may
18 cause the dog to be mercifully killed by a licensed veterinarian or
19 disposed of as the State Veterinarian may direct. The municipal animal

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

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

51 (c) The town treasurer or other fiscal officer shall pay from the dog
52 fund account the advertising expense incurred under the provisions of
53 this section upon receipt of an itemized statement together with a copy

54 of the advertisement as published. Any person who purchases a dog as
55 a pet shall pay a fee of five dollars and procure a license and tag for
56 such dog from the town clerk, in accordance with the provisions of
57 section 22-338 of the 2008 supplement to the general statutes.

58 Sec. 2. (NEW) (*Effective October 1, 2008*) (a) The Chief Animal
59 Control Officer, any animal control officer or any municipal animal
60 control officer may take into custody any livestock, as defined in
61 section 22-278 of the general statutes, 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 livestock or ratite at the pound serving
66 the town where the animal was taken into custody or at any other
67 suitable facility as determined by the Commissioner of Agriculture,
68 except that in the opinion of a licensed veterinarian, if the livestock or
69 ratite is so injured or diseased that it should be destroyed immediately,
70 the municipal animal control officer of such town may cause the
71 livestock or ratite to be mercifully killed by a licensed veterinarian or
72 disposed of as the State Veterinarian may direct. The municipal animal
73 control officer shall immediately notify the owner or keeper, if known,
74 of the impoundment of any livestock or ratite taken pursuant to this
75 section. If the owner or keeper of any such livestock or ratite is
76 unknown, the officer shall immediately tag or employ such other
77 suitable means of identification of the livestock or ratite as may be
78 approved by the Chief Animal Control Officer and shall promptly
79 cause a description of such livestock or ratite to be published once in
80 the lost and found column of a newspaper having a circulation in the
81 town where the animal was taken into custody.

82 (b) If such livestock or ratite is not claimed by and released to the
83 owner within fourteen days after the date of such publication, the
84 municipal animal control officer, upon finding such livestock or ratite
85 to be in satisfactory health, may sell such livestock or ratite to any
86 person who satisfies such officer that he or she is purchasing it for
87 domestic or commercial use and that he or she can give it proper care.

88 The municipal animal control officer may retain possession of such
89 livestock or ratite for such additional period of time as he or she may
90 deem advisable in order to place such livestock or ratite. If, within
91 such period, any livestock or ratite is not claimed by and released to
92 the owner or keeper or purchased for domestic or commercial use, the
93 officer may offer the livestock or ratite to a public or private nonprofit
94 animal rescue or adoption organization.

95 (c) The Chief Animal Control Officer, any animal control officer or
96 any municipal animal control officer may fine the owner or keeper of
97 livestock or ratite taken into custody under subsection (a) of this
98 section a total of sixty dollars for the first offense, regardless of the
99 number of livestock or ratites involved in such offense, two hundred
100 fifty dollars for the second offense occurring within fifteen days of the
101 first offense, regardless of the number of livestock or ratites involved
102 in the second offense, and five hundred dollars for the third offense
103 occurring within thirty days of the first offense, regardless of the
104 number of livestock or ratites involved in the third offense. The owner
105 or keeper of livestock or a ratite taken into custody pursuant to
106 subsection (a) of this section shall also be liable for costs associated
107 with the transportation and care of such livestock or ratite until such
108 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	<i>October 1, 2008</i>	22-332
Sec. 2	<i>October 1, 2008</i>	New section

PD *Joint Favorable Subst.*