



General Assembly

February Session, 2008

Amendment

LCO No. 5238

HB0582905238HDO

Offered by:
REP. ROY, 119th Dist.

To: Subst. House Bill No. 5829

File No. 714

Cal. No. 255

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

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (a) of section 22-332d of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective*
5 *October 1, 2008*):

6 (a) Any animal control officer for a municipality which has adopted
7 an ordinance under subsection (b) of section 22-339d, as amended by
8 this act, may take into custody any cat found to be damaging property
9 other than property of its owner or keeper or property that is part of
10 the common elements of a common interest community, as defined in
11 section 47-202, or causing an unsanitary, dangerous or unreasonably
12 offensive condition unless such cat can be identified as under the care
13 of its owner or a registered keeper of feral cats. The officer shall
14 impound such cat at the pound serving the town where the cat is taken
15 unless, in the opinion of a licensed veterinarian, the cat is so injured or

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

27 Sec. 502. Subsection (b) of section 22-339d of the general statutes is
28 repealed and the following is substituted in lieu thereof (*Effective*
29 *October 1, 2008*):

30 (b) A municipality may adopt an ordinance providing that no
31 person owning or keeping any cat shall permit such animal to (1)
32 substantially damage property other than the property of the owner or
33 keeper; [or] (2) cause an unsanitary, dangerous or unreasonably
34 offensive condition; or (3) substantially damage property that is part of
35 the common elements of a common interest community, as defined in
36 section 47-202. Violation of such provision shall be an infraction.

37 Sec. 503. Section 22-357 of the general statutes is repealed and the
38 following is substituted in lieu thereof (*Effective October 1, 2008*):

39 If any dog does any damage to either the body or property of any
40 person, or property that is part of the common elements of a common
41 interest community, as defined in section 47-202, the owner or keeper,
42 or, if the owner or keeper is a minor, the parent or guardian of such
43 minor, shall be liable for such damage, except when such damage has
44 been occasioned to the body or property of a person who, at the time
45 such damage was sustained, was committing a trespass or other tort,
46 or was teasing, tormenting or abusing such dog. If a minor, on whose
47 behalf an action under this section is brought, was under seven years

48 of age at the time the damage was done, it shall be presumed that such
49 minor was not committing a trespass or other tort, or teasing,
50 tormenting or abusing such dog, and the burden of proof thereof shall
51 be upon the defendant in such action.

52 Sec. 504. Subsection (a) of section 22-358 of the 2008 supplement to
53 the general statutes is repealed and the following is substituted in lieu
54 thereof (*Effective October 1, 2008*):

55 (a) (1) For the purposes of this section, the premises of the owner or
56 keeper of a dog, cat or other animal does not include property that is
57 part of the common elements of a common interest community, as
58 defined in section 47-202.

59 (2) Any owner or the agent of any owner of any domestic animal or
60 poultry, or the Chief Animal Control Officer or any animal control
61 officer or any municipal animal control officer, regional animal control
62 officer or any police officer or state policeman, may kill any dog which
63 he observes pursuing or worrying any such domestic animal or
64 poultry."