



General Assembly

Amendment

February Session, 2008

LCO No. 6400

HB0585206400HDO

Offered by:
REP. URBAN, 43rd Dist.

To: Subst. House Bill No. 5852 File No. 723 Cal. No. 199

"AN ACT CONCERNING THE CONTROL OF LYME DISEASE."

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

3 "Sec. 501. (NEW) (*Effective July 1, 2008*) For the purposes of sections
4 2 to 6, inclusive, of this act, "animal control officer" includes a regional
5 animal control officer, assistant regional animal control officer and
6 municipal animal control officer, as defined in section 22-327 of the
7 general statutes, and an assistant municipal animal control officer and
8 "council" means the Police Officer Standards and Training Council
9 established pursuant to section 7-294b of the 2008 supplement to the
10 general statutes.

11 Sec. 502. (NEW) (*Effective July 1, 2008*) (a) The council, in
12 consultation with the Commissioner of Agriculture, may develop a
13 training program, within available appropriations, for certification of
14 animal control officers. The program shall consist of not less than
15 eighty hours of training including, but not limited to: (1) State and

16 federal law relating to arrest, search and seizure; (2) state law relating
17 to animals; (3) the basics of investigation; (4) report writing and record
18 keeping; (5) shelter or pound standards; (6) disease recognition; (7)
19 euthanasia policy; (8) ethics and professionalism in dealing with the
20 public; (9) cruelty and neglect investigations, including, but not limited
21 to, blood sports and cults; (10) animal bite and vicious animal
22 investigations; (11) officer safety and loss prevention; (12) animal care,
23 identification, behavior, handling and capture and restraint
24 techniques; (13) overview of the legal system, court structure and
25 terminology; (14) warrants; and (15) civil liability issues.

26 (b) The council may, within available appropriations, hire one
27 instructor for the purpose of instructing, certifying and retraining
28 animal control officers. The council, in consultation with the
29 Commissioner of Agriculture, shall approve or develop an
30 examination, within available appropriations, designed to test
31 proficiency in the subjects covered by the training program developed
32 pursuant to subsection (a) of this section. The examination may be
33 written, oral, practical or a combination thereof.

34 (c) The council, in consultation with the Commissioner of
35 Agriculture, may approve, reject or revoke approval of any animal
36 control officer training courses, including, but not limited to, courses
37 provided by the National Animal Control Association, the American
38 Humane Association or the Humane Society of the United States for
39 inclusion in the training programs developed pursuant to this section.

40 (d) The council may, from time to time, amend or alter the training
41 programs and the examination the council develops pursuant to this
42 section.

43 Sec. 503. (NEW) (*Effective July 1, 2008*) (a) Except as provided in
44 subsection (e) of this section, each person appointed as an animal
45 control officer on and after July 1, 2008, shall be certified by the council
46 not later than two years after such appointment. Except as provided in
47 subsection (b) of this section, the council shall only certify a person

48 who has satisfactorily completed the training program developed
49 pursuant to section 502 of this act. The provisions of section 7-294d of
50 the general statutes concerning police officer training shall not apply to
51 animal control officers appointed pursuant to section 22-328, 22-331 or
52 22-331a of the general statutes unless the duties of such officer include
53 carrying a firearm or custodial arrest.

54 (b) The council, in consultation with the Commissioner of
55 Agriculture, may, within available appropriations, develop a
56 retraining program for persons who have served as animal control
57 officers in the state for a period of five years since July 1, 1997. Except
58 as provided in subsection (e) of this section, such officers shall
59 complete the retraining program and become certified in order to
60 continue to serve as animal control officers. The council shall refuse to
61 certify any officer that fails to complete such training satisfactorily.

62 (c) The council may decline to issue a certificate if (1) the applicant
63 falsified any document in order to obtain or renew the certificate, (2)
64 the applicant has been convicted of a felony, (3) the applicant has been
65 found not guilty of a felony by reason of mental disease or defect
66 pursuant to section 53a-13 of the general statutes, (4) the applicant has
67 been convicted of a violation of subsection (c) of section 21a-279 of the
68 general statutes or section 29-9 of the general statutes, or (5) the
69 applicant has been refused issuance of a certificate or similar
70 authorization or has had a certificate or other similar authorization
71 revoked by another jurisdiction on grounds that would authorize
72 revocation under the provisions of this subsection.

73 (d) The council may revoke any certificate if (1) the certificate was
74 issued by administrative error, (2) the certificate was obtained through
75 misrepresentation or fraud, (3) the holder falsified any document in
76 order to obtain or renew any certificate, (4) the holder has been
77 convicted of a felony, (5) the holder has been found not guilty of a
78 felony by reason of mental disease or defect pursuant to section 53a-13
79 of the general statutes, (6) the holder has been convicted of a violation
80 of subsection (c) of section 21a-279 of the general statutes or section 29-

81 9 of the general statutes, or (7) the holder has been refused issuance of
82 a certificate or similar authorization or has had the certificate or other
83 authorization revoked by another jurisdiction on grounds that would
84 authorize revocation under the provisions of this subsection.
85 Whenever the council believes there is a reasonable basis for
86 revocation of the certificate of an animal control officer, the council
87 shall give the holder of the certificate notice and an opportunity for a
88 hearing, in accordance with the provisions of section 4-182 of the
89 general statutes. Any officer whose certification is revoked pursuant to
90 this section may reapply for certification no sooner than two years
91 after the date on which the revocation order becomes final.

92 (e) The provisions of this section shall not apply to an animal control
93 officer appointed in a municipality with a population of less than
94 fifteen thousand.

95 Sec. 504. (NEW) (*Effective July 1, 2008*) (a) If a person who was
96 employed and certified as an animal control officer is not employed in
97 such capacity, such certification shall expire after two years of
98 unemployment, unless such officer has been on a leave of absence.
99 Upon reemployment as an animal control officer, such officer shall
100 apply for certification and become certified in the manner provided in
101 sections 502 and 503 of this act.

102 (b) A municipality may appoint a temporary animal control officer
103 who does not hold a certificate pursuant to sections 501 to 504,
104 inclusive, of this act for a period not to exceed thirty days per calendar
105 year. The council may grant a one time thirty-day extension for such
106 temporary animal control officer. The council may encourage
107 municipalities to share the services of animal control officers in the
108 event a temporary animal control officer is needed by a municipality.

109 Sec. 505. (NEW) (*Effective July 1, 2008*) The Commissioner of
110 Agriculture, in consultation with the Police Officer Standards and
111 Training Council, may adopt regulations, in accordance with the
112 provisions of chapter 54 of the general statutes, to implement the

113 provisions of sections 501 to 504, inclusive, of this act, including, but
114 not limited to, establishing procedures for applying for certification as
115 an animal control officer.

116 Sec. 506. (NEW) (*Effective October 1, 2008*) No municipality shall be
117 liable for compensation to any municipal animal control officer whose
118 certification under section 503 or 504 of this act has been revoked or
119 expired during the period of such revocation or expiration.

120 Sec. 507. (NEW) (*Effective July 1, 2008*) (a) The council shall establish
121 an account to be known as the "animal control officer training account"
122 that shall contain any moneys required by law to be deposited in the
123 account.

124 (b) The council may solicit and accept funds from any public or
125 private source to help to carry out the goals of the animal control
126 officer training program.

127 (c) All money in the account shall be used by the council exclusively
128 for the implementation of the animal control officer training program.
129 Any balance remaining in said account at the end of any fiscal year
130 shall be carried forward in said account for the fiscal year next
131 succeeding."