



General Assembly

February Session, 2008

Amendment

LCO No. 6467

HB0585206467HDO

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, subject to
46 available appropriations, by the council not later than two years after
47 such appointment. Except as provided in subsection (b) of this section,

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

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

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

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

81 of the general statutes, (6) the holder has been convicted of a violation
82 of subsection (c) of section 21a-279 of the general statutes or section 29-
83 9 of the general statutes, or (7) the holder has been refused issuance of
84 a certificate or similar authorization or has had the certificate or other
85 authorization revoked by another jurisdiction on grounds that would
86 authorize revocation under the provisions of this subsection.
87 Whenever the council believes there is a reasonable basis for
88 revocation of the certificate of an animal control officer, the council
89 shall give the holder of the certificate notice and an opportunity for a
90 hearing, in accordance with the provisions of section 4-182 of the
91 general statutes. Any officer whose certification is revoked pursuant to
92 this section may reapply for certification no sooner than two years
93 after the date on which the revocation order becomes final.

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

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

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

111 Sec. 505. (NEW) (*Effective July 1, 2008*) The Commissioner of
112 Agriculture, in consultation with the Police Officer Standards and

113 Training Council, may adopt regulations, in accordance with the
114 provisions of chapter 54 of the general statutes, to implement the
115 provisions of sections 501 to 504, inclusive, of this act, including, but
116 not limited to, establishing procedures for applying for certification as
117 an animal control officer.

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

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

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

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