



General Assembly

January Session, 2009

**Raised Bill No. 784**

LCO No. 2726

\*02726 \_\_\_\_\_ ENV\*

Referred to Committee on Environment

Introduced by:  
(ENV)

***AN ACT CONCERNING ROAMING LIVESTOCK 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 Section 22-332 of the general statutes is repealed and the  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 July 1, 2009*):

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 other  
13 domestic animal found injured on any highway, neglected, abandoned  
14 or cruelly treated. The officer shall impound such dog or other  
15 domestic animal at the pound serving the town where the dog or other  
16 domestic animal is taken unless, in the opinion of a licensed

17 veterinarian, the dog or other domestic animal is so injured or diseased  
18 that it should be destroyed immediately, in which case the municipal  
19 animal control officer of such town may cause the dog or other  
20 domestic animal to be mercifully killed by a licensed veterinarian or  
21 disposed of as the State Veterinarian may direct. The municipal animal  
22 control officer shall immediately notify the owner or keeper of any dog  
23 or other domestic animal so taken, if known, of its impoundment. Such  
24 officer shall immediately notify the owner or keeper of any other  
25 domestic animal which is taken into custody, if such owner or keeper  
26 is known. If the owner or keeper of any such dog or other domestic  
27 animal is unknown, the officer shall immediately tag or employ such  
28 other suitable means of identification of the dog or other domestic  
29 animal as may be approved by the Chief Animal Control Officer and  
30 shall promptly cause a description of such dog or other domestic  
31 animal to be published once in the lost and found column of a  
32 newspaper having a 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 days after the date of publication,  
35 the municipal animal control officer, upon finding such dog or other  
36 domestic animal to be in satisfactory health, may have a licensed  
37 veterinarian spay or neuter such dog or other domestic animal and sell  
38 such dog or other domestic animal to any person who satisfies such  
39 officer that he or she is purchasing it as a pet and that he or she can  
40 give it a good home and proper care. The municipal animal control  
41 officer may retain possession of such dog or other domestic animal for  
42 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 other domestic  
45 animal. If, within such period, any dog or other domestic animal is not  
46 claimed by and released to the owner or keeper or purchased as a pet,  
47 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 other domestic animal shall be paid from the dog fund account. No

51 person 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 other domestic animal pursuant to this  
54 section be held civilly liable, including, but not limited to, liability for  
55 reconstructive neutical implantation surgery. For the purposes of this  
56 section, "other domestic animal" means any animal commonly kept as  
57 a pet, but does not include livestock, as defined in section 22-278, or  
58 ratites.

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

66 Sec. 2. (NEW) (*Effective July 1, 2009*) (a) The Chief Animal Control  
67 Officer, any animal control officer or any municipal animal control  
68 officer may take into custody any livestock, as defined in section 22-  
69 278 of the general statutes, or ratite, whose presence on any highway  
70 or public property poses a threat to public safety or whose presence on  
71 property other than the property of its owner or keeper creates a threat  
72 to public safety or threat to other animals or property. Such officer may  
73 impound such livestock or ratite at the pound serving the town where  
74 the animal was taken into custody or at any other suitable facility as  
75 determined by the Commissioner of Agriculture, except that in the  
76 opinion of a licensed veterinarian, if the livestock or ratite is so injured  
77 or diseased that it should be destroyed immediately, the municipal  
78 animal control officer of such town may cause the livestock or ratite to  
79 be mercifully killed by a licensed veterinarian or disposed of as the  
80 State Veterinarian may direct. The municipal animal control officer  
81 shall immediately notify the owner or keeper, if known, of the  
82 impoundment of any livestock or ratite taken pursuant to this section.  
83 If the owner or keeper of any such livestock or ratite is unknown, the

84 officer shall immediately tag or employ such other suitable means of  
85 identification of the livestock or ratite as may be approved by the Chief  
86 Animal Control Officer and shall promptly cause a description of such  
87 livestock or ratite to be published once in the lost and found column of  
88 a newspaper having a circulation in the town where the animal was  
89 taken into custody.

90 (b) If such livestock or ratite is not claimed by and released to the  
91 owner within fourteen days after the date of such publication, the  
92 municipal animal control officer, upon finding such livestock or ratite  
93 to be in satisfactory health, may sell such livestock or ratite to any  
94 person who satisfies such officer that he or she is purchasing it for  
95 domestic or commercial use and that he or she can give it proper care.  
96 The municipal animal control officer may retain possession of such  
97 livestock or ratite for such additional period of time as he or she may  
98 deem advisable in order to place such livestock or ratite. If, within  
99 such period, any livestock or ratite is not claimed by and released to  
100 the owner or keeper or purchased for domestic or commercial use, the  
101 officer may offer the livestock or ratite to a public or private nonprofit  
102 animal rescue or adoption organization.

103 (c) The Chief Animal Control Officer, any animal control officer or  
104 any municipal animal control officer may fine the owner or keeper of  
105 livestock or ratite taken into custody under subsection (a) of this  
106 section a total of sixty dollars for the first offense, regardless of the  
107 number of livestock or ratites involved in such offense, two hundred  
108 fifty dollars for the second offense occurring within fifteen days of the  
109 first offense, regardless of the number of livestock or ratites involved  
110 in the second offense, and five hundred dollars for the third offense  
111 occurring within thirty days of the first offense, regardless of the  
112 number of livestock or ratites involved in the third offense. The owner  
113 or keeper of livestock or a ratite taken into custody pursuant to  
114 subsection (a) of this section shall also be liable for costs associated  
115 with the transportation and care of such livestock or ratite until such  
116 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>July 1, 2009</i>	22-332
Sec. 2	<i>July 1, 2009</i>	New section

**Statement of Purpose:**

To allow animal control officers to impound livestock or ratites, whose presence on any highway or public property poses a threat to public safety or whose presence on property other than the property of its owner or keeper creates a threat to public safety or threat to other animals or property and to impound other domestic animals found injured on any highway, neglected, abandoned or cruelly treated.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*