



House of Representatives

File No. 825

General Assembly

January Session, 2011

(Reprint of File No. 406)

Substitute House Bill No. 6226
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 20, 2011

AN ACT CONCERNING CROSS-REPORTING OF CHILD ABUSE AND ANIMAL CRUELTY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2011*) (a) Any animal control
2 officer appointed pursuant to section 22-328, 22-331 or 22-331a of the
3 general statutes, who (1) has reasonable cause to suspect that an
4 animal observed in the course of the officer's employment is being or
5 has been harmed, neglected or treated cruelly in violation of section
6 53-247 of the general statutes, and (2) files a verified petition with the
7 Superior Court pursuant to section 22-329a of the general statutes,
8 shall make a written report to the Commissioner of Agriculture in
9 accordance with subsection (b) of this section.

10 (b) The report shall be made by the officer as soon as practicable, but
11 not later than forty-eight hours after the officer has filed the verified
12 petition. Each report shall contain, if known: (1) The address where the
13 animal was observed and the name and address of the owner or other
14 person responsible for care of the animal; (2) the name and a
15 description of the animal; (3) the nature and extent of the harm, neglect

16 or cruelty to the animal; (4) the approximate date and time such harm,
17 neglect or cruelty occurred; (5) any information concerning any
18 previous harm to, neglect of or cruelty toward the animal; (6) the
19 circumstances under which such harm, neglect or cruelty came to be
20 known by the officer; and (7) the name and address of every person
21 the officer reasonably suspects to be responsible for such harm, neglect
22 or cruelty.

23 (c) Not later than November 1, 2011, and monthly thereafter, the
24 Commissioner of Agriculture shall send a report to the Commissioner
25 of Children and Families containing all of the information received
26 pursuant to subsection (b) of this section during the preceding month.

27 Sec. 2. (NEW) (*Effective October 1, 2011*) Not later than one week
28 after receiving a report pursuant to subsection (c) of section 1 of this
29 act, the Commissioner of Children and Families shall determine if any
30 address provided in said report is an address where the Department of
31 Children and Families has opened an investigation of a child pursuant
32 to a report of abuse or neglect made under chapter 319a of the general
33 statutes. If the commissioner determines that there is an open
34 investigation of a child at the same address as an address provided in
35 said report, the commissioner shall provide the department's
36 investigator with all relevant information from said report. The
37 department shall include the information provided to the investigator
38 in the department's record on the child.

39 Sec. 3. (NEW) (*Effective October 1, 2011*) (a) Any employee of the
40 Department of Children and Families who, in the course of his or her
41 employment, has reasonable cause to suspect that an animal is being or
42 has been harmed, neglected or treated cruelly in violation of section
43 53-247 of the general statutes shall make an oral report to the
44 Commissioner of Agriculture in accordance with subsection (b) of this
45 section.

46 (b) A report made pursuant to subsection (a) of this section shall be
47 made as soon as practicable, but not later than forty-eight hours after

48 the employee has reasonable cause to suspect that an animal has been
 49 harmed, neglected or treated cruelly, and shall contain the following, if
 50 known: (1) The address where the animal was observed and the name
 51 and address of the owner or other person responsible for care of the
 52 animal; (2) the name and a description of the animal; (3) the nature and
 53 extent of the harm, neglect or cruelty to the animal; and (4) the
 54 approximate date and time such harm, neglect or cruelty was
 55 suspected.

56 (c) Not later than October 1, 2012, and annually thereafter, the
 57 Commissioner of Children and Families, in consultation with the
 58 Commissioner of Agriculture and within available appropriations,
 59 shall develop and implement training for Department of Children and
 60 Families' employees concerning the identification of harm to, neglect of
 61 and cruelty toward animals and its relationship to child welfare case
 62 practice.

63 Sec. 4. (NEW) (*Effective October 1, 2011*) The Commissioner of
 64 Children and Families shall, within available appropriations, make
 65 available to all animal control officers training concerning the accurate
 66 and prompt identification and reporting of child abuse and neglect.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	New section
Sec. 2	<i>October 1, 2011</i>	New section
Sec. 3	<i>October 1, 2011</i>	New section
Sec. 4	<i>October 1, 2011</i>	New section

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill does not result in a fiscal impact to the Departments of Children and Families (DCF) and Agriculture (DAG). It requires DCF to implement animal cruelty educational training for agency staff and to train animal control officers on reporting child abuse and neglect. Additionally, it requires DAG to submit a monthly animal control officer activity report to DCF.

House "A" removed (1) anonymity for employees of the Department of Children and Families that report animal mistreatment to the Department of Agriculture, and (2) a reporting exemption in the underlying bill. It does not result in a fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 6226 (as amended by House "A")******AN ACT CONCERNING CROSS-REPORTING OF CHILD ABUSE AND ANIMAL CRUELTY.*****SUMMARY:**

This bill requires state, regional, and municipal animal control officers (ACOs) and Department of Children and Families (DCF) employees to report to the Department of Agriculture (DOAG) commissioner when they reasonably suspect that an animal is being treated cruelly, harmed, or neglected. The agriculture commissioner must forward the information he receives from the ACOs to the DCF commissioner in a monthly report. The DCF commissioner must then determine whether any address in an animal cruelty report corresponds to an address where there is an open investigation of a child.

The DCF commissioner must develop and implement training for her department's employees on (1) how to identify cruelty or harm to or neglect of animals and (2) their relationship to child welfare case practices. She must also train ACOs concerning identifying and reporting child abuse and neglect. All training must be accomplished within available appropriations.

*House Amendment "A" deletes provisions in the original file (File 406) requiring that a DCF report of animal cruelty to DOAG be made anonymously and creating an exemption from reporting if it would interfere with DCF's child welfare duties.

EFFECTIVE DATE: October 1, 2011

REPORT TO THE AGRICULTURE COMMISSIONER

Animal Control Officers

Under the bill, when a state, regional, or municipal ACO, in the course of his or her work, reasonably suspects that an animal has been harmed, neglected, or treated cruelly in violation of the law and files the requisite petition in Superior Court, the ACO must also report in writing to the DOAG commissioner. The ACO must file the report as soon as practicable but no later than 48 hours after filing the court petition. The bill identifies the following contents, if known, the report must include:

1. the address where the animal was seen and the name and address of its owner or caretaker;
2. the animal's name and description;
3. the nature and extent of the harm, neglect, or cruelty and the approximate date and time it occurred;
4. any information regarding any prior harm, neglect, or cruelty to the animal;
5. how the ACO learned of the harm, neglect, or cruelty; and
6. the name and address of everyone the ACO reasonably suspects to be responsible.

DCF Employees

The bill requires DCF employees who, in the course of their work, reasonably suspect that an animal has been harmed, neglected or treated cruelly in violation of the law, to report orally to the DOAG commissioner.

Like the ACO's report, the DCF employee must make it as soon as practicable but no more than 48 hours after observing the suspected harm, neglect, or animal cruelty. The DCF report must include the information in 1 to 3 listed above.

DOAG COMMISSIONER'S RESPONSIBILITIES

Monthly, beginning November 1, 2011, the DOAG commissioner must report all the information he or she receives from the ACOs for the preceding month to the DCF commissioner. The bill does not require the DOAG commissioner to forward any information he receives from a DCF employee; but presumably, the DOAG could take action on the animal abuse reports received from DCF.

DCF COMMISSIONER’S RESPONSIBILITIES

Within a week of receiving the DOAG report, the DCF commissioner must determine whether an address linked to an animal abuse report is the same as a location where DCF has opened a child welfare investigation. If so, the commissioner must give the department’s investigator the relevant information from the DOAG report on the matter and include it in the DCF record on the child.

By October 1, 2012, the commissioner must develop and implement, in consultation with the DOAG commissioner, training for DCF employees on identifying harm, neglect, and cruelty to animals and its relationship to child welfare case practice. The training must be provided annually.

The DCF commissioner must also make training available to all ACOs on the accurate and prompt identification and reporting of child abuse and neglect.

COMMITTEE ACTION

Select Committee on Children

Joint Favorable Substitute Change of Reference
Yea 9 Nay 0 (02/22/2011)

Environment Committee

Joint Favorable
Yea 20 Nay 5 (03/21/2011)

Planning and Development Committee

Joint Favorable

Yea 19 Nay 0 (04/18/2011)

Human Services Committee

Joint Favorable

Yea 17 Nay 0 (05/10/2011)