



# House of Representatives

General Assembly

**File No. 243**

January Session, 2011

Substitute House Bill No. 6303

*House of Representatives, March 28, 2011*

The Committee on Planning and Development reported through REP. GENTILE of the 104th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING THE TREATMENT OF ILL AND INJURED ANIMALS IN MUNICIPAL ANIMAL SHELTERS.***

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

1 Section 1. (NEW) (*Effective October 1, 2011*) (a) For purposes of this  
2 section, "animal control officer" means a municipal or regional animal  
3 control officer, "animal treatment list" means a list of organizations that  
4 will provide treatment by a licensed veterinarian to an ill or injured  
5 animal in a municipal or regional dog pound without charge to such  
6 dog pound, and "organization" means a public or private nonprofit  
7 animal rescue organization.

8 (b) Each animal control officer shall maintain an animal treatment  
9 list that includes the contact information for any organization that  
10 requests to be placed on such list. If at any time an animal control  
11 officer observes that an impounded animal is ill or injured and  
12 reasonably believes that such animal is in urgent need of veterinary  
13 treatment, or if a municipal employee, member of an organization or

14 volunteer at a municipal or regional dog pound observes that an  
15 impounded animal is ill or injured, reasonably believes that such  
16 animal is in urgent need of veterinary treatment and notifies an animal  
17 control officer of this belief, such animal control officer shall, not later  
18 than twenty-four hours after such animal control officer observed or  
19 received notification of such animal's illness or injury, (1) arrange for  
20 the treatment of such animal by a licensed veterinarian, or (2) if such  
21 dog pound has insufficient funds to cover the cost of such treatment,  
22 contact one or more organizations on the animal treatment list to  
23 request or arrange for such treatment.

24 (c) If an animal control officer contacts an organization on the  
25 animal treatment list to request or arrange for the treatment of an ill or  
26 injured animal and the seven-day period under subsection (b) of  
27 section 22-332 of the general statutes, as amended by this act, for an  
28 owner to claim such animal has not expired, such organization may  
29 provide, at such organization's expense, treatment by a licensed  
30 veterinarian of the organization's choice. If an animal control officer  
31 contacts an organization on the animal treatment list to request or  
32 arrange for such treatment and the seven-day period under said  
33 subsection has expired, the organization may, notwithstanding  
34 subsection (b) of section 22-332 of the general statutes, as amended by  
35 this act, take ownership and possession of such animal without charge  
36 to such organization and may provide, at such organization's expense,  
37 treatment to such animal by a licensed veterinarian of the  
38 organization's choice.

39 (d) Nothing in this section shall prevent an animal from being  
40 mercifully killed by a licensed veterinarian or disposed of as the State  
41 Veterinarian may direct when, in the opinion of a licensed  
42 veterinarian, an animal is so ill or injured that it should be destroyed  
43 immediately.

44 Sec. 2. Section 22-332 of the general statutes is repealed and the  
45 following is substituted in lieu thereof (*Effective October 1, 2011*):

46 (a) The Chief Animal Control Officer, any animal control officer or

47 any municipal animal control officer shall be responsible for the  
48 enforcement of this chapter and shall make diligent search and inquiry  
49 for any violation of any of its provisions. Any such officer may take  
50 into custody (1) any dog found roaming in violation of the provisions  
51 of section 22-364, (2) any dog not having a tag or plate on a collar about  
52 its neck or on a harness on its body as provided by law or which is not  
53 confined or controlled in accordance with the provisions of any order  
54 or regulation relating to rabies issued by the commissioner in  
55 accordance with the provisions of this chapter, or (3) any dog found  
56 injured on any highway, neglected, abandoned or cruelly treated. The  
57 officer shall impound such dog at the pound serving the town where  
58 the dog is taken unless, in the opinion of a licensed veterinarian, the  
59 dog is so injured or diseased that it should be destroyed immediately,  
60 in which case the municipal animal control officer of such town may  
61 cause the dog to be mercifully killed by a licensed veterinarian or  
62 disposed of as the State Veterinarian may direct. The municipal animal  
63 control officer shall immediately notify the owner or keeper of any dog  
64 so taken, if known, of its impoundment. Such officer shall immediately  
65 notify the owner or keeper of any other animal which is taken into  
66 custody, if such owner or keeper is known. If the owner or keeper of  
67 any such dog or other animal is unknown, the officer shall  
68 immediately tag or employ such other suitable means of identification  
69 of the dog or other animal as may be approved by the Chief Animal  
70 Control Officer and shall promptly cause (A) a description of such dog  
71 or other animal to be published once in the lost and found column of a  
72 newspaper having a circulation in such town, and (B) a photograph or  
73 description of such dog or other animal and the date on which such  
74 dog or animal shall be available for adoption to be posted on a national  
75 pet adoption Internet web site, except that if an officer does not have  
76 the technological resources to post such information on such web site,  
77 such officer shall contact an organization on the animal treatment list  
78 and request that such organization post such information at such  
79 organization's expense. For purposes of this section, "animal treatment  
80 list" and "organization" have the same meaning as provided in section  
81 1 of this act.

82 (b) [If] Except as provided in subsection (c) of section 1 of this act, if  
 83 such dog or other animal is not claimed by and released to the owner  
 84 within seven days after the date of publication, the municipal animal  
 85 control officer, upon finding such dog or other animal to be in  
 86 satisfactory health, may have a licensed veterinarian spay or neuter  
 87 such dog and sell such dog or other animal to any person who satisfies  
 88 such officer that he is purchasing it as a pet and that he can give it a  
 89 good home and proper care. The municipal animal control officer may  
 90 retain possession of such dog or other animal for such additional  
 91 period of time as he may deem advisable in order to place such dog or  
 92 other animal as a pet and may have a licensed veterinarian spay or  
 93 neuter such dog. If, within such period, any dog or other animal is not  
 94 claimed by and released to the owner or keeper or purchased as a pet,  
 95 the officer shall cause such dog or other animal to be mercifully killed  
 96 by a licensed veterinarian or disposed of as the State Veterinarian may  
 97 direct. Any veterinarian who so destroys a dog shall be paid from the  
 98 dog fund account. No person who so destroys a dog or other animal  
 99 shall be held criminally or civilly liable therefor nor shall any licensed  
 100 veterinarian who spays or neuters a dog pursuant to this section be  
 101 held civilly liable, including, but not limited to, liability for  
 102 reconstructive neutical implantation surgery.

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2011	New section
Sec. 2	October 1, 2011	22-332

**PD**      *Joint Favorable Subst.*

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.

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**OFA Fiscal Note****State Impact:** None**Municipal Impact:** None**Explanation**

No fiscal impact is anticipated to result from requiring animal control officers to maintain an animal treatment list; arrange for urgent veterinary treatment, or request treatment in cases in which insufficient funds are available; and post, or request that an organization post, information concerning a dog or other animal on a national pet adoption web site.

**The Out Years****State Impact:** None**Municipal Impact:** None

**OLR Bill Analysis**

**sHB 6303**

***AN ACT CONCERNING THE TREATMENT OF ILL AND INJURED ANIMALS IN MUNICIPAL ANIMAL SHELTERS.***

**SUMMARY:**

This bill requires a municipal or regional animal control officer (ACO) to arrange treatment for an impounded animal that is ill or injured (see BACKGROUND). It sets a timeframe for an ACO to arrange treatment and creates a system for and authorizes outside organizations to provide or arrange treatment for such an animal when a dog pound cannot afford it.

By law, a municipality may use a dog pound to shelter other animals that are injured, mistreated, or roaming in a manner that endangers the animal or the public. State regulations require a dog pound to have a licensed veterinarian examine any impounded dog that appears sick or injured (Conn. Agencies Reg. § 22-336-28).

The bill also requires the ACO, when the owner of an impounded dog or other animal is unknown, to post its photograph or description and the date on which it will be available for adoption on a national pet adoption website. If the ACO does not have the technological resources to post the information, he or she must contact an organization on the animal treatment list that the bill requires and request that it post the information and pay any related expenses. Under existing law, the ACO must post a description of such an animal in a local newspaper.

EFFECTIVE DATE: October 1, 2011

**ARRANGING TREATMENT FOR AN IMPOUNDED ANIMAL THAT IS ILL OR INJURED**

**Timing**

Under the bill, whenever an ACO observes and reasonably believes that an impounded animal urgently needs veterinary treatment, the ACO must, within 24 hours:

1. arrange for a licensed veterinarian to treat the animal, or
2. contact one or more animal rescue organizations on an animal treatment list, which the bill requires, to request or arrange for treatment at no charge to the pound, if the pound has insufficient funds to cover treatment.

The bill requires the ACO to follow these procedures if notified by a municipal employee, member of an animal rescue organization, or municipal or regional dog pound volunteer who observes and reasonably believes an impounded animal urgently needs veterinarian treatment.

**Animal Treatment List and Rescue Organizations**

Under the bill, a municipal or regional ACO must maintain an animal treatment list that includes contact information from any public or private nonprofit animal rescue organization that (1) will have a licensed veterinarian treat an ill or injured animal in a municipal or regional pound without charging the pound and (2) requests to be placed on it.

Once an ACO makes contact, the bill authorizes an organization to provide or arrange treatment at no charge to the pound and keep the animal, depending on the timing of its impoundment.

**ORGANIZATIONS, TIME OF IMPOUNDMENT, AND DISPOSITION**

By law, when an ACO impounds an animal whose owner is unknown, he or she must (1) immediately tag the animal (or identify it by other approved means) and (2) have its description published once in the lost and found column of a newspaper having a circulation in the town where the animal was located. If its owner has not claimed the animal within seven days of the newspaper notice, the ACO may

euthanize, sell, or place the animal.

Under the bill, an organization may have a licensed veterinarian of its choice treat an ill or injured animal at its expense when an ACO contacts it, regardless of whether the seven-day period after notice has expired. If the seven-day period has expired, the bill authorizes the organization to take ownership and possession of the animal without charge.

The bill does not prevent, as required by existing law, a licensed veterinarian from mercifully killing an ill or injured animal, or disposing of it as the state veterinarian may direct, when, in the veterinarian's opinion, the animal is so ill or injured that it should be destroyed immediately.

## **BACKGROUND**

### ***Pounds***

Each municipality, other than those participating in a regional dog pound, must:

1. provide and maintain a suitable building as a pound, which must be comfortable for the detention and care of dogs and kept in a sanitary condition, or
2. provide, through written agreement, for the detention and care of impounded dogs by a licensed veterinarian, veterinary hospital, or commercial kennel; dog pound maintained by another city; or other suitable facility approved by the agriculture commissioner.

Any municipality may use the pound or facility to shelter other animals that are injured, mistreated, or roaming in a manner that endangers the animal or the public (CGS § 22-336).

## **COMMITTEE ACTION**

Planning and Development Committee

Joint Favorable Substitute

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Yea 19 Nay 1 (03/07/2011)