



General Assembly

**Amendment**

January Session, 2011

LCO No. 5965

**\*HB0630305965HDO\***

Offered by:

REP. GROGINS, 129<sup>th</sup> Dist.

REP. URBAN, 43<sup>rd</sup> Dist.

REP. CHAPIN, 67<sup>th</sup> Dist.

To: Subst. House Bill No. 6303

File No. 582

Cal. No. 154

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

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2011*) (a) Any regional or  
4 municipal dog pound facility may enter into a contract with one or  
5 more public or private nonprofit animal rescue organizations for the  
6 payment by such animal rescue organization of the costs for providing  
7 treatment by a licensed veterinarian to an injured, sick or diseased  
8 animal that is impounded at such regional or municipal dog pound  
9 facility. Such contract shall provide that: (1) No costs associated with  
10 the provision of such treatment shall accrue to the municipality as a  
11 result of such contract, (2) the selection of the licensed veterinarian to  
12 provide such treatment shall be made by the public or private  
13 nonprofit animal rescue organization that will be responsible for the  
14 remittance of payment to such licensed veterinarian who provides

15 such treatment, (3) the determination of whether an animal is injured,  
16 sick or diseased and in need of veterinary treatment shall be made by a  
17 regional or municipal animal control officer who has custody of such  
18 animal, provided if any employee or volunteer of such regional or  
19 municipal dog pound facility notifies such animal control officer that  
20 an animal is injured, sick or diseased and in need of such veterinary  
21 treatment such animal control officer shall contact such public or  
22 private nonprofit animal rescue organization to arrange for the  
23 treatment of such animal by a licensed veterinarian, and (4) not later  
24 than twenty-four hours after receipt of a request from such municipal  
25 or regional dog pound facility that such public or private nonprofit  
26 animal rescue organization arrange for the provision of such treatment  
27 to an injured, sick or diseased animal impounded at such facility, such  
28 animal rescue organization shall select a licensed veterinarian to  
29 provide such treatment and take custody or control of such animal, as  
30 applicable, for the purpose of having such licensed veterinarian  
31 provide immediate treatment to such injured, sick or diseased animal.  
32 Nothing in this section shall be construed to affect any protection  
33 provided to any animal pursuant to any statute, regulation or  
34 ordinance.

35 (b) Notwithstanding subsection (a) of this section, if any person  
36 observes that a municipal or regional animal control officer failed to  
37 provide any animal that is under the custody and control of such  
38 animal control officer with proper care, including, but not limited to,  
39 veterinary care, such person may file a complaint with the Department  
40 of Agriculture's State Animal Control Division. Not later than twenty-  
41 four hours after receipt of any such complaint, such division shall take  
42 action as the division deems necessary to secure proper care for such  
43 animal, except if such complaint is received on a Saturday or Sunday,  
44 such action shall be taken on the next business day.

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

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

48 any municipal animal control officer shall be responsible for the  
49 enforcement of this chapter and shall make diligent search and inquiry  
50 for any violation of any of its provisions. Any such officer may take  
51 into custody (1) any dog found roaming in violation of the provisions  
52 of section 22-364, (2) any dog not having a tag or plate on a collar about  
53 its neck or on a harness on its body as provided by law or which is not  
54 confined or controlled in accordance with the provisions of any order  
55 or regulation relating to rabies issued by the commissioner in  
56 accordance with the provisions of this chapter, or (3) any dog found  
57 injured on any highway, neglected, abandoned or cruelly treated. The  
58 officer shall impound such dog at the pound serving the town where  
59 the dog is taken unless, in the opinion of a licensed veterinarian, the  
60 dog is so injured or diseased that it should be destroyed immediately,  
61 in which case the municipal animal control officer of such town may  
62 cause the dog to be mercifully killed by a licensed veterinarian or  
63 disposed of as the State Veterinarian may direct. The municipal animal  
64 control officer shall immediately notify the owner or keeper of any dog  
65 so taken, if known, of its impoundment. Such officer shall immediately  
66 notify the owner or keeper of any other animal which is taken into  
67 custody, if such owner or keeper is known. If the owner or keeper of  
68 any such dog or other animal is unknown, the officer shall  
69 immediately tag or employ such other suitable means of identification  
70 of the dog or other animal as may be approved by the Chief Animal  
71 Control Officer and shall promptly cause (A) a description of such dog  
72 or other animal to be published once in the lost and found column of a  
73 newspaper having a circulation in such town or that has a state-wide  
74 circulation, and (B) a photograph or description of such animal and the  
75 date on which such animal is no longer legally required to be  
76 impounded to be posted on a national pet adoption Internet web site  
77 or an Internet web site that is maintained or accessed by the animal  
78 control officer and that is accessible to the public through an Internet  
79 search, except such posting shall not be required if: (i) The animal is  
80 held pending the resolution of civil or criminal litigation involving  
81 such animal, (ii) the officer has a good-faith belief that the animal  
82 would be adopted by or transferred to a public or private nonprofit

83 rescue organization for the purpose of placing such animal in an  
84 adoptive home even in the absence of such posting, or (iii) the animal's  
85 safety will be placed at risk. If any animal control officer does not have  
86 the technological resources to post such information on an Internet  
87 web site as required by subparagraph (B) of this subdivision, such  
88 officer may contact a public or private animal rescue organization and  
89 request that such organization post such information, at such  
90 organization's expense, on a web site that is accessible to the public  
91 through an Internet search. To the extent practicable, any such posting  
92 by an animal control officer or a public or private animal rescue  
93 organization shall remain posted for the duration of such animal's  
94 impoundment in the municipal or regional dog pound.

95 (b) If such dog or other animal is not claimed by and released to the  
96 owner within seven days after the date of publication, the municipal  
97 animal control officer, upon finding such dog or other animal to be in  
98 satisfactory health, may have a licensed veterinarian spay or neuter  
99 such dog and sell such dog or other animal to any person who satisfies  
100 such officer that he is purchasing it as a pet and that he can give it a  
101 good home and proper care. The municipal animal control officer may  
102 retain possession of such dog or other animal for such additional  
103 period of time as he may deem advisable in order to place such dog or  
104 other animal as a pet and may have a licensed veterinarian spay or  
105 neuter such dog. If, within such period, any dog or other animal is not  
106 claimed by and released to the owner or keeper or purchased as a pet,  
107 the officer shall cause such dog or other animal to be mercifully killed  
108 by a licensed veterinarian or disposed of as the State Veterinarian may  
109 direct. Any veterinarian who so destroys a dog shall be paid from the  
110 dog fund account. No person who so destroys a dog or other animal  
111 shall be held criminally or civilly liable therefor nor shall any licensed  
112 veterinarian who spays or neuters a dog pursuant to this section be  
113 held civilly liable, including, but not limited to, liability for  
114 reconstructive neutical implantation surgery.

115 (c) The town treasurer or other fiscal officer shall pay from the dog  
116 fund account the advertising expense incurred under the provisions of

117 this section upon receipt of an itemized statement together with a copy  
 118 of the advertisement as published. Any person who purchases a dog as  
 119 a pet shall pay a fee of five dollars and procure a license and tag for  
 120 such dog from the town clerk, in accordance with the provisions of  
 121 section 22-338.

122 (d) No regional or municipal dog pound facility, municipality,  
 123 regional or municipal animal control officer or public or private  
 124 nonprofit animal rescue organization that arranges for the provision of  
 125 treatment by a licensed veterinarian to an injured, sick or diseased  
 126 animal pursuant to a contract described in section 1 of this act shall be  
 127 held civilly liable for such actions unless such actions are performed in  
 128 a wanton, reckless or malicious manner. No licensed veterinarian who  
 129 provides treatment free of charge or for a reduced fee, to an injured,  
 130 sick or diseased animal as a direct result of a contract described in  
 131 section 1 of this act shall be held civilly liable for the provision of such  
 132 treatment unless such actions are performed in a wilful, wanton or  
 133 reckless manner."

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