



General Assembly

Amendment

January Session, 2011

LCO No. 6159

HB0630306159HDO

Offered by:

REP. GROGINS, 129th Dist.

REP. URBAN, 43rd Dist.

REP. CHAPIN, 67th 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 or reasonably believes that a municipal or regional animal
37 control officer failed to provide any animal that is under the custody
38 and control of such animal control officer with proper care, including,
39 but not limited to, veterinary care, such person may file a complaint
40 with the Department of Agriculture's State Animal Control Division.
41 Not later than twenty-four hours after receipt of any such complaint,
42 such division shall take action as the division deems necessary to
43 secure proper care for such animal, except if such complaint is received
44 on a Saturday or Sunday, such action shall be taken on the next
45 business day.

46 (c) Each municipal and regional dog pound facility shall maintain a
47 list of any public or private nonprofit animal rescue organization that
48 notifies such dog pound facility of such animal rescue organization's

49 interest in entering into a contract described in subsection (a) of this
50 section.

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 Section 22-332 of the general statutes is repealed and the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

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

83 or an Internet web site that is maintained or accessed by the animal
84 control officer and that is accessible to the public through an Internet
85 search, except such posting shall not be required if: (i) The animal is
86 held pending the resolution of civil or criminal litigation involving
87 such animal, (ii) the officer has a good-faith belief that the animal
88 would be adopted by or transferred to a public or private nonprofit
89 rescue organization for the purpose of placing such animal in an
90 adoptive home even in the absence of such posting, (iii) the animal's
91 safety will be placed at risk, or (iv) such animal control officer
92 determines that such animal is feral and not adoptable. If any animal
93 control officer does not have the technological resources to post such
94 information on an Internet web site as required by subparagraph (B) of
95 this subdivision, such officer may contact a public or private animal
96 rescue organization and request that such organization post such
97 information, at such organization's expense, on a web site that is
98 accessible to the public through an Internet search. To the extent
99 practicable, any such posting by an animal control officer or a public or
100 private animal rescue organization shall remain posted for the
101 duration of such animal's impoundment in the municipal or regional
102 dog pound.

103 (b) If such dog or other animal is not claimed by and released to the
104 owner within seven days after the date of publication, the municipal
105 animal control officer, upon finding such dog or other animal to be in
106 satisfactory health, may have a licensed veterinarian spay or neuter
107 such dog and sell such dog or other animal to any person who satisfies
108 such officer that he is purchasing it as a pet and that he can give it a
109 good home and proper care. The municipal animal control officer may
110 retain possession of such dog or other animal for such additional
111 period of time as he may deem advisable in order to place such dog or
112 other animal as a pet and may have a licensed veterinarian spay or
113 neuter such dog. If, within such period, any dog or other animal is not
114 claimed by and released to the owner or keeper or purchased as a pet,
115 the officer shall cause such dog or other animal to be mercifully killed
116 by a licensed veterinarian or disposed of as the State Veterinarian may

117 direct. Any veterinarian who so destroys a dog shall be paid from the
 118 dog fund account. No person who so destroys a dog or other animal
 119 shall be held criminally or civilly liable therefor nor shall any licensed
 120 veterinarian who spays or neuters a dog pursuant to this section be
 121 held civilly liable, including, but not limited to, liability for
 122 reconstructive neutical implantation surgery.

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

130 (d) No regional or municipal dog pound facility, municipality,
 131 regional or municipal animal control officer or public or private
 132 nonprofit animal rescue organization that arranges for the provision of
 133 treatment by a licensed veterinarian to an injured, sick or diseased
 134 animal pursuant to a contract described in section 1 of this act shall be
 135 held civilly liable for such actions unless such actions are performed in
 136 a wanton, reckless or malicious manner. No licensed veterinarian who
 137 provides treatment free of charge or for a reduced fee, to an injured,
 138 sick or diseased animal as a direct result of a contract described in
 139 section 1 of this act shall be held civilly liable for the provision of such
 140 treatment unless such actions are performed in a wilful, wanton or
 141 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