



House of Representatives

General Assembly

File No. 4

February Session, 2014

Substitute House Bill No. 5037

House of Representatives, March 11, 2014

The Committee on Children reported through REP. URBAN of the 43rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

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. Section 22-329b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2014*):

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

11 (b) The written report shall be made by the officer as soon as
12 practicable, but not later than forty-eight hours after the officer has
13 reasonable cause to suspect that an animal has been harmed, neglected

14 or treated cruelly pursuant to subdivision (1) of subsection (a) of this
15 section or has filed [the] a verified petition. Each written report shall
16 contain, if known: (1) The address where the animal was observed and
17 the name and address of the owner or other person responsible for
18 care of the animal; (2) the name and a description of the animal; (3) the
19 nature and extent of the harm, neglect or cruelty to the animal; (4) the
20 approximate date and time such harm, neglect or cruelty occurred; (5)
21 any information concerning any previous harm to, neglect of or cruelty
22 toward the animal; (6) the circumstances under which such harm,
23 neglect or cruelty came to be known by the officer; and (7) the name
24 and address of every person the officer reasonably suspects to be
25 responsible for such harm, neglect or cruelty.

26 (c) Not later than November 1, [2011] 2014, and monthly thereafter,
27 the Commissioner of Agriculture shall send a report to the
28 Commissioner of Children and Families containing all of the
29 information received pursuant to subsection (b) of this section during
30 the preceding month.

31 Sec. 2. Section 17a-106d of the general statutes is repealed and the
32 following is substituted in lieu thereof (*Effective October 1, 2014*):

33 Not later than one week after receiving a report pursuant to
34 subsection (c) of section 22-329b, as amended by this act, the
35 Commissioner of Children and Families shall determine if any address
36 provided in said report is an address where the Department of
37 Children and Families has [opened an investigation of a child pursuant
38 to a report of abuse or neglect made under this chapter] an open child
39 protective service case. If the commissioner determines that there is an
40 open [investigation of a] child protective service case and the
41 department is currently providing services for a child or youth and his
42 or her family at the same address as an address provided in said
43 report, the commissioner shall provide the department's [investigator]
44 social worker assigned to such child or youth and his or her family
45 with all relevant information from said report. The department shall
46 include the information provided to the [investigator] social worker in

47 the department's record on the child.

48 Sec. 3. Subsection (a) of section 17a-100a of the general statutes is
 49 repealed and the following is substituted in lieu thereof (*Effective*
 50 *October 1, 2014*):

51 (a) Any employee of the Department of Children and Families who,
 52 in the course of his or her employment, has reasonable cause to suspect
 53 that an animal is being or has been harmed, neglected or treated
 54 cruelly in violation of section 53-247 shall make [an oral] a written
 55 report to the Commissioner of Agriculture in accordance with
 56 subsection (b) of this section.

57 Sec. 4. (NEW) (*Effective October 1, 2014*) Not later than January 1,
 58 2015, and annually thereafter, the Commissioners of Children and
 59 Families and Agriculture shall, in accordance with section 11-4a of the
 60 general statutes, report to the joint standing committee of the General
 61 Assembly having cognizance of matters relating to children on the
 62 number of written reports regarding actual or suspected instances of
 63 animal neglect or cruelty received from employees of the Department
 64 of Children and Families pursuant to section 17a-100a of the general
 65 statutes, as amended by this act, and from animal control officers
 66 pursuant to section 22-329b of the general statutes, as amended by this
 67 act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	22-329b
Sec. 2	<i>October 1, 2014</i>	17a-106d
Sec. 3	<i>October 1, 2014</i>	17a-100a(a)
Sec. 4	<i>October 1, 2014</i>	New section

Statement of Legislative Commissioners:

Language in section 4 was repositioned for clarity.

KID *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.

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

The bill does not result in a fiscal impact to the Departments of Agriculture (DoAG) and Children and Families (DCF). It makes clarifying changes to existing statutes concerning cross reporting of suspected animal abuse between DoAG and DCF and requires these Departments to provide an annual report on the number of actual or suspected instances of animal abuse or cruelty to the Committee on Children.

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

OLR Bill Analysis

sHB 5037

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

SUMMARY:

This bill (1) broadens the circumstances in which a state, regional, or municipal animal control officer (ACO) must file an animal abuse report with the Department of Agriculture (DOAG) commissioner and (2) requires the report to be written.

It expands the list of addresses the DCF commissioner must check against an address in a DOAG report.

It also requires:

1. the DOAG commissioner, starting by November 1, 2014, to include these additional reports in the monthly report he must already submit to the Department of Children and Families (DCF) commissioner;
2. 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 in writing instead of orally to the DOAG commissioner; and
3. the DCF and DOAG commissioners, starting by January 1, 2015, to report annually to the Children's Committee the number of ACO and DCF employee written reports of actual or suspected instances of animal neglect or cruelty they received.

EFFECTIVE DATE: October 1, 2014

EXPANDED ACO REPORTING REQUIREMENTS

Currently, an ACO must file a report with the DOAG commissioner only when the ACO both (1) reasonably suspects an animal is treated cruelly in violation of the law and (2) files a verified petition with the court after taking custody of the animal based on probable cause that cruel treatment occurred.

The bill requires the ACO to file a report when he or she either:

1. reasonably suspects cruel treatment or
2. files a verified petition based on probable cause of: (a) illegally cropping a dog's ears, (b) inhumanely transporting horses, (c) selling, trading, or giving away a horse to work that is unable to do so, (d) leading, riding, or driving an animal on a public highway, (e) cruelty to poultry, (f) animal cruelty, (g) selling or giving a dyed fowl or rabbit, (h) using an animal, reptile, or bird to solicit alms or donations, or for other prohibited activities, (i) illegally docking a horse's tail, or (j) inhumanely transporting animals on railroads.

Current law requires the ACO to file the report as soon as practicable but no later than 48 hours after filing the court petition. The bill requires the ACO to file a written report within 48 hours of having the reasonable suspicion or filing a petition.

DCF COMMISSIONER REQUIREMENTS

By law, the DCF commissioner, within a week of receiving the DOAG report, must review it to see whether addresses linked to animal abuse match certain addresses. The bill:

1. requires her to broaden the scope of her search by comparing the addresses to those where DCF has an open child protection case, rather than an open child welfare investigation; and
2. provide the relevant information to the family's social worker instead of a DCF investigator.

Open child protective cases include all cases in the investigation stage as well as those receiving ongoing services from the department. Investigations remain open for up to 45 days, but child protective cases may remain open for months or years.

COMMITTEE ACTION

Committee on Children

Joint Favorable Substitute

Yea 12 Nay 0 (02/25/2014)