



## ACTS CONCERNING ANIMAL WELFARE (2010-2014)

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### QUESTION

What state laws passed during the last five legislative sessions (2010-2014) concern the welfare of domestic animals?

### SUMMARY

This report provides highlights of selected laws (public and special acts) passed during the past five legislative sessions that concern domestic animal welfare (e.g., cats or dogs). We identified 26 acts, addressing subjects such as animal control officer training, animal importer and pet shop licensee requirements, the penalties for animal cruelty, and veterinarians.

Not all provisions of the acts are included. Complete summaries of all public acts are available on OLR's webpage: <http://www.cga.ct.gov/olr/>.

### ANIMAL CONTROL OFFICER (ACO)

#### *Complaints Against*

By law, anyone observing or reasonably believing that an ACO failed to provide an animal under the ACO's custody with proper care, including veterinary care, may file a complaint with the Department of Agriculture's (DoAg) State Animal Control Division. A law passed in 2011 requires the division, within 24 hours after receiving a complaint, to take any action it deemed necessary to secure proper care for the animal. However, if the division receives the complaint on a Saturday or Sunday, it must take action on the next business day. The new law also revised how ACOs advertise the impoundment of certain animals ([PA 11-111](#), effective October 1, 2011).

## ***Training***

A 2012 law requires ACOs starting on or after July 1, 2012 to complete at least 80 hours of initial ACO training. It also requires all ACOs to complete at least six hours of continuing education training annually. The law requires the DoAg commissioner to (1) prescribe the initial ACO training curriculum, including certain specified topics; (2) reimburse costs for people participating in the initial ACO training; and (3) adopt regulations on the continuing education requirement ([PA 12-108](#), § 2, effective upon passage).

## **ANIMAL IMPORTER REQUIREMENTS**

Another 2011 law requires animal importers to (1) register with the DoAg commissioner; (2) have imported animals examined by a state-licensed veterinarian; and (3) notify DoAg and local zoning officials before offering imported animals for sale, adoption, or transfer. It established fines for violations ([PA 11-187](#), effective October 1, 2011).

## **BREED-SPECIFIC ORDINANCES**

A law passed in 2013 bars municipalities from adopting breed-specific dog ordinances. Existing law authorizes municipalities to enact ordinances (1) regulating or prohibiting the movement of dogs and other animals in streets and public places and (2) preventing cruelty to animals ([PA 13-103](#), effective October 1, 2013).

## **COMMERCIAL KENNEL ADVERTISING**

A 2013 law requires anyone maintaining and advertising a commercial kennel to include his or her license number in any advertisement. It authorizes the DoAg commissioner to adopt regulations, which may establish the size, font, and location of the license number in advertisements ([PA 13-23](#), effective October 1, 2013).

## **CROSS REPORTING**

A 2011 law requires state, regional, and municipal ACOs and Department of Children and Families (DCF) employees to report to the DoAg commissioner when they reasonably suspect that an animal is being treated cruelly, harmed, or neglected. It requires the DoAg commissioner to forward the information he receives from ACOs to the DCF commissioner in a monthly report. And it requires the DCF commissioner to determine if any address in an animal cruelty report corresponds to an address where there is an open investigation of a child ([PA 11-194](#), effective October 1, 2011).

During the 2014 session, the legislature passed a new law broadening the circumstances under which an ACO must file an animal abuse report with the DoAg commissioner. It also requires the commissioner, by November 1, 2014, to include these additional reports in his monthly report to the DCF commissioner ([PA 14-70](#), effective October 1, 2014).

## **GUIDE DOG QUARANTINE EXEMPTION**

By law, an ACO may quarantine or otherwise restrain or dispose of an animal that bites someone. If a person fails to comply with a quarantine or restraining order, the ACO may seize the animal. Legislation passed in 2011 exempts certain guide dogs from these provisions if the dog is (1) owned by or in the custody and control of a blind person or person with mobility impairment; (2) under the person's direct supervision, care, and control; (3) vaccinated; and (4) receiving routine veterinary care ([PA 11-182](#), effective October 1, 2011).

## **IMPOUNDED ANIMAL CARE**

### ***Contracting***

Legislation passed in 2011 authorizes regional or municipal dog pounds to contract with public or private nonprofit animal rescue organizations to pay a licensed veterinarian to treat impounded animals that are injured, sick, or diseased. The new law (1) details what the contracts must contain and (2) requires each pound to maintain a list of nonprofit animal rescue organizations that express interest in entering into such contracts ([PA 11-111](#), effective October 1, 2011).

### ***Municipal Costs***

The law allows a court to vest temporary ownership of neglected or cruelly treated animals in a person or a state, municipal, or other agency. When it does, the animal's owner generally must either (1) give up ownership of the animal or (2) post a surety or cash bond with the agency or person vested temporary care and custody. A 2014 law increases the bond amount from \$500 total to \$500 per animal. It also allows the DoAg commissioner to use the animal abuse cost recovery and animal population control accounts to reimburse a municipality for providing temporary care to animals for more than 30 days that exceeds the posted bond amount ([PA 14-205](#), §§ 1 & 2, effective upon passage).

## **LIABILITY FOR DAMAGE CAUSED BY DOGS**

By law, a dog's owner or keeper is liable when the dog hurts a person or damages property, unless the person was trespassing; committing a tort; or teasing, tormenting, or abusing the dog. A law passed in 2013 specifies that domesticated dogs and cats ("companion animals") are "property" for which an offending dog's owner or keeper is liable for damages. The law also specifies that allowable damages include veterinary care expenses, the companion animal's fair market value, and burial expenses, when applicable. It allows owners of certain animals (sheep, goats, horses, hogs, cattle, poultry, or domestic rabbits) to recover veterinary care and burial expenses when dogs injure or kill properly confined or enclosed animals ([PA 13-223](#), effective October 1, 2013).

## **PENALTIES FOR VIOLATING ANIMAL WELFARE-RELATED LAWS**

In 2012, the legislature passed a law classifying and changing penalties for misdemeanors. The law affected several animal welfare-related statutes, including violating laws on animal impoundment and medical research (CGS § [22-332c](#)), obstructing a canine control officer preventing animal cruelty (CGS § [22-329](#)), cropping a dog's ears (CGS § [22-366](#)), and procuring a dog or cat for resale without a pet shop license (CGS § [22-344e](#)) ([PA 12-80](#), effective October 1, 2012).

The legislature adopted another law in 2012 concerning animal cruelty penalties. This law increased the penalty for subsequent convictions of animal cruelty to a fine of up to \$5,000, imprisonment for up to five years, or both. It applies to actions such as overworking; torturing; cruelly beating or killing; depriving of sustenance; failing to provide impounded or confined animals with proper care or wholesome air, food, or water; treating animals in custody cruelly or abandoning them; or other related actions ([PA 12-86](#), effective October 1, 2012).

The legislature created a class E felony as a new felony classification during the 2013 session and classified as a class E felony the crime of stealing, confining, concealing, or killing a companion animal or concealing the identity of its owner, when it is a subsequent offense or involves multiple animals. It also classified as class D felonies the following previously unclassified crimes: animal cruelty (2nd and subsequent offenses), maliciously wounding or killing an animal, using an animal for fighting, and injuring a peace officer animal or volunteer canine search animal ([PA 13-258](#), §§ 24 & 114, effective October 1, 2013).

## **PET SHOPS**

### ***Certificate of Origin***

By law, a dog that a pet shop sells or offers for sale must come with a certificate of origin. A law passed in 2010 requires (1) the certificate to be in a form the DoAg commissioner prescribes; (2) the licensee to file a copy of it with DoAg within seven days, instead of two, after the sale; and (3) pet shops to post the certificate's information on the sign already required to be posted by the cage of each dog offered for sale ([PA 10-100](#), effective October 1, 2010).

### ***Expense Reimbursement***

A 2012 law specifies that pet shop customers may either seek reimbursement for certain veterinarian expenses for a dog or cat that suffers from an illness or congenital defect shortly after the sale, or request a replacement or refund for the animal. The law prohibits pet shops from requiring the consumer to return the animal to receive a reimbursement. It also requires certain pet shops to (1) post a statement informing customers of their rights under the "pet lemon law" and (2) give customers a copy of the statement when they buy a dog or cat ([PA 12-105](#), § 1, effective October 1, 2012).

### ***Inspection***

By law, the DoAg commissioner may inspect licensed commercial kennels, pet shops, and grooming or training facilities under certain circumstances. If he finds certain violations or unsanitary conditions, a 2012 law authorizes him to impose a fine of up to \$500 for each animal subject to the violation ([PA 12-105](#), § 2, effective October 1, 2012).

### ***Licensing Exemption***

In 2013, the legislature exempted from the pet shop licensing requirement people who acquire dogs to resell them to the military or a law enforcement agency for law enforcement or security work. Unless exempted, anyone acquiring a dog or cat for resale must obtain a pet shop license from the DoAg commissioner ([PA 13-39](#), effective upon passage).

### ***Task Force on Sales***

A law passed in 2013 established a task force to study the proliferation of cats and dogs sourced from inhumane origins and sold in Connecticut pet shops. It required the task force to (1) study, among other things, how to reduce this proliferation and (2) report its findings and recommendations to the Environment Committee by January 1, 2014 ([SA 13-19](#), effective upon passage).

The legislature passed a new law in 2014 based on the task force's work. The new law makes various changes to the pet shop licensee statutes. For example, it:

1. requires the DoAg commissioner to develop a standard of care for in-state dog and cat breeders;
2. prohibits pet shop licensees from purchasing or selling dogs or cats from breeders who have violated U.S. Department of Agriculture (USDA) animal welfare regulations;
3. increases, under the "pet lemon law," the amount of money a pet shop licensee must reimburse a customer for veterinarian expenses incurred to treat a dog or cat that becomes ill shortly after purchase from the shop; and
4. requires a pet shop licensee to post certain USDA inspection reports for breeders of any dog offered for sale ([PA 14-77](#), effective October 1, 2014).

## **RESTRAINT ORDERS**

By law, the DoAg commissioner or an ACO may order the restraint of a biting dog, cat, or other animal as he or she deems necessary. Any person aggrieved by an ACO's order may request a hearing before the commissioner within 14 days after the order is issued. The commissioner may affirm, modify, or revoke the order as he deems proper. A 2012 law makes a restraint order effective when it is issued and during an appeal to the commissioner ([PA 12-21](#), effective October 1, 2012).

## **SHELTER TREATMENT OF ANIMALS**

A law passed during the 2014 session establishes a nine-member task force to study (1) the humane treatment of animals in municipal and regional shelters and (2) other matters concerning these shelters. The task force must report its findings and recommendations to the Environment and Planning and Development committees by January 1, 2015 ([PA 14-205](#), § 3, effective upon passage).

## **STERILIZATION AND VACCINATION**

### ***Voucher System***

The law establishes a voucher system for paying veterinarians who vaccinate and sterilize impounded, quarantined, or stray dogs and cats. People acquiring an unspayed or unneutered dog or cat from a pound must pay the pound \$45 for a voucher to sterilize and vaccinate the animal. A 2012 law allows pounds to complete and retain vouchers to have the animals sterilized and vaccinated before releasing them to the people adopting or buying them. It also allows pounds to

complete and submit vouchers to veterinarians to sterilize and vaccinate dogs or cats that have not been adopted or bought and have pyometra, a uterine infection ([PA 12-108](#), § 1, effective October 1, 2012).

### ***Municipal Adoption Fee***

A law passed in 2013 allows municipalities to charge someone who buys a dog as a pet from a municipal pound up to \$150 for the cost it incurred to spay or neuter and vaccinate the dog ([PA 13-105](#), effective October 1, 2013).

### ***Population Control Program***

Another 2013 law increases, from 10% to 20%, the amount of certain animal population control program funds that may be used to sterilize and vaccinate dogs and cats owned by low-income people. The funds are from a surcharge on dog licenses, certain animal adoption fees for pounds' unspayed or unneutered cats and dogs, and proceeds from commemorative license plates ([PA 13-99](#), effective July 1, 2013).

## **TETHERING**

The legislature passed a law in 2010 that prohibits confining or tethering a dog for an unreasonable period of time. It also, with some exceptions, prohibits tethering a dog to a stationary object or mobile device under certain conditions and in some situations. It changed the fines and penalties for such actions ([PA 10-100](#), effective October 1, 2010).

The legislature revisited the issue of tethering dogs during the 2013 session. It passed a law prohibiting tethering a dog outdoors to a stationary object or mobile device when (1) local, state, or federal authorities issue a weather advisory or warning or (2) weather poses an adverse risk to the dog's health or safety based on its breed, age, or physical condition. But it allows a person to tether a dog in certain weather conditions if the tethering lasts no longer than 15 minutes. The new law also expands the existing tethering prohibition. It generally prohibits (1) attaching a dog to a tether that allows the dog to reach an object or a hazard, including a public road or highway and (2) tethering a dog near an object or hazard that poses any risk of injuring or strangling the dog if it jumps over or walks into it. Violators are subject to a fine of (1) \$100 for a first offense, (2) \$200 for a second offense, and (3) between \$250 and \$500 for subsequent offenses ([PA 13-189](#), effective July 1, 2013).

## **TRANSFERRING OWNERSHIP OF ABUSED ANIMALS**

By law, a court may vest ownership of a neglected or cruelly treated animal in the DoAg commissioner, a municipality, or other specified entities or people. The commissioner or municipality may auction the animal, sell it through an open bidding process, or give it to certain people or rescue or adoption organizations. A 2012 law expands the circumstances under which the commissioner or municipality may vest ownership of the animal in a person or organization and extends the pool of possible recipients. It allows him or the municipality to vest ownership of a seized animal in any person or nonprofit rescue or adoption organization ([PA 12-20](#), effective October 1, 2012).

## **VETERINARIANS**

### ***Disciplinary Actions***

A new law passed in 2013 allows the Connecticut Board of Veterinary Medicine to consider the American Veterinary Medical Association's published standards of care and guidelines when determining if a veterinarian acted negligently. By law, the board can discipline a veterinarian for a number of causes, including cruelty or negligence toward animals ([PA 13-230](#), effective October 1, 2013).

### ***Euthanizing Cats or Dogs***

Also during the 2013 legislative session, a law passed that, with certain exceptions, requires the euthanization of cats or dogs to be performed only by licensed veterinarians in a humane manner. It subjects violators to up to a year in prison, up to a \$1,000 fine, or both. The new law does not prohibit the killing of a cat or dog that is attacking a person or another animal if a reasonable person would consider the attack to threaten the life of, or likely cause serious injury to, the person or animal ([PA 13-236](#), effective upon passage).

In 2014, the legislature passed a law that adds to the exceptions from needing a licensed veterinarian to euthanize cats or dogs. Specifically, it exempts euthanizations performed at USDA-regulated facilities ([PA 14-226](#), § 4, effective upon passage).

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