

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 14-70—sHB 5037
Committee on Children
Environment Committee

AN ACT CONCERNING CROSS REPORTING OF CHILD ABUSE AND ANIMAL CRUELTY

SUMMARY: This act broadens the circumstances under which a state, regional, or municipal animal control officer (ACO) must file an animal abuse report with the Department of Agriculture (DoAg) commissioner. It also requires 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.

The act expands the list of addresses against which the DCF commissioner must check an address in a DoAg report.

It additionally requires:

1. 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
2. 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

Under prior law, an ACO had to file a report with the DoAg commissioner only when the ACO both (1) reasonably suspected an animal was being treated cruelly in violation of the law and (2) filed a verified petition with the court after taking custody of the animal based on probable cause that cruel treatment occurred.

The act requires the ACO to file a report when he or she either reasonably suspects cruel treatment or files a verified petition based on probable cause of one of the following violations:

1. illegally cropping a dog's ears;
2. inhumanely transporting horses;
3. selling, trading, or giving away a horse to work that is unable to do so;
4. leading, riding, or driving an animal on a public highway;
5. cruelty to poultry;
6. animal cruelty;
7. selling or giving a dyed fowl or rabbit;

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8. using an animal, reptile, or bird to solicit alms or donations, or for other prohibited activities;
9. illegally docking a horse's tail; or
10. inhumanely transporting animals on railroads.

Prior law required the ACO to file the report as soon as practicable but no later than 48 hours after filing the court petition. The act 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 act requires her to:

1. 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 abuse or neglect investigation, and
2. provide the relevant information to the family's social worker instead of a DCF investigator.

Open child protection cases include all abuse and neglect 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 protection cases may remain open for months or years.

OLR Tracking: KMD:JR:JKL:am