



# House of Representatives

**File No. 740**

General Assembly

February Session, 2016

**(Reprint of File No. 591)**

Substitute House Bill No. 5344  
As Amended by House Amendment  
Schedule "A"

Approved by the Legislative Commissioner  
April 27, 2016

***AN ACT CONCERNING SUPPORT FOR CATS AND DOGS THAT ARE  
NEGLECTED OR TREATED CRUELLY.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2016*) (a) In any prosecution  
2 under section 53-247 of the general statutes, or in any court proceeding  
3 pursuant to section 22-329a of the general statutes or in the criminal  
4 session of the Superior Court regarding the welfare or custody of a cat  
5 or dog, the court may order, upon its own initiative or upon request of  
6 a party or counsel for a party, that a separate advocate be appointed to  
7 represent the interests of justice. If a court orders that an advocate be  
8 appointed to represent the interests of justice, the court shall appoint  
9 such advocate from a list provided to the court by the Commissioner  
10 of Agriculture pursuant to subsection (c) of this section. A decision by  
11 the court denying a request to appoint a separate advocate to represent  
12 the interests of justice shall not be subject to appeal.

13 (b) The advocate may: (1) Monitor the case; (2) consult any  
14 individual with information that could aid the judge or fact finder and

15 review records relating to the condition of the cat or dog and the  
 16 defendant's actions, including, but not limited to, records from animal  
 17 control officers, veterinarians and police officers; (3) attend hearings;  
 18 and (4) present information or recommendations to the court pertinent  
 19 to determinations that relate to the interests of justice, provided such  
 20 information and recommendations shall be based solely upon the  
 21 duties undertaken pursuant to this subsection.

22 (c) The Department of Agriculture shall maintain a list of attorneys  
 23 with knowledge of animal issues and the legal system and a list of law  
 24 schools that have students, or anticipate having students, with an  
 25 interest in animal issues and the legal system. Such attorneys and law  
 26 students shall be eligible to serve on a voluntary basis as advocates  
 27 under this section. The provisions of sections 3-14 to 3-21, inclusive, of  
 28 the Connecticut Practice Book shall govern a law student's  
 29 participation as an advocate under this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	New section

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 allows judges to appoint a volunteer to advocate for the best interests of an animal in a civil or criminal proceeding relating to animal cruelty or fighting and does not result in a fiscal impact.

The bill also requires the Department of Agriculture (DoAg) to maintain a list of attorneys with expertise in animal issues and the legal system, and law schools that have or anticipate having students with interest in animal issues. This requirement does not result in a fiscal impact to DoAg.

House "A" narrows the bill to apply to cats and dogs instead of "animals" and makes other changes that do not result in a fiscal impact.

**The Out Years**

**State Impact:** None

**Municipal Impact:** None

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**OLR Bill Analysis****sHB 5344 (as amended by House "A")\******AN ACT CONCERNING SUPPORT FOR ANIMALS THAT ARE  
NEGLECTED OR TREATED CRUELLY.*****SUMMARY:**

This bill allows judges to appoint a volunteer, from a list of attorneys and law students provided by the agriculture commissioner, to advocate for the interests of justice in certain proceedings involving animals. Specifically, advocates may be appointed in (1) prosecutions for animal cruelty or fighting, (2) court proceedings for an animal control officer's seizure of a cruelly treated or neglected animal, and (3) criminal cases involving a cat's or dog's welfare or custody. (Presumably, the bill applies only to cats or dogs.)

Under the bill, the court may order on its own, or any party or party's counsel may request, an advocate. The bill prohibits the appeal of a decision denying a request for an advocate.

Under the bill, the Department of Agriculture must maintain a list of (1) attorneys with knowledge of animal issues and the legal system and (2) law schools that have or anticipate having students with interest in animal issues and the legal system. The bill authorizes these attorneys and law students to serve as advocates and requires law students doing so to be governed by the Connecticut Practice Book's legal intern provisions.

The bill allows these advocates to do the following:

1. monitor the case;
2. consult individuals with information that could aid the judge or

fact finder;

3. review records of the cat's or dog's condition and the defendant's actions, including, but not limited to, animal control officers', veterinarians', and police officers' records;
4. attend hearings; and
5. present to the court information or recommendations related to the interests of justice, provided the information and recommendations are based solely upon the advocate's duties under the bill.

\*House Amendment "A" (1) restricts advocates to cases involving cats and dogs; (2) eliminates provisions allowing advocates to represent the animal's interests, in addition to the interests of justice; (3) allows, rather than requires, animal advocates to take certain actions; and (4) makes minor changes.

EFFECTIVE DATE: October 1, 2016

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 34    Nay 9    (03/28/2016)