



Acts Affecting Animals and Agriculture

By: Janet Kaminski Leduc, Senior Legislative Attorney

June 5, 2018 | 2018-R-0138

Notice to Readers

This report provides summaries of new laws (Public Acts) and a resolution affecting animals and agriculture enacted and adopted during the 2018 regular session. OLR's other Acts Affecting reports, including Acts Affecting Environment, are available on OLR's website:

<https://www.cga.ct.gov/olr/actsaffecting.asp>.

Each summary indicates the Public Act (PA) number and effective date. Not all provisions of the acts are included. The report does not include vetoed acts unless the veto was overridden.

Complete summaries of Public Acts are, or will soon be, available on OLR's website:

<https://www.cga.ct.gov/olr/olrsums.asp>. Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, House Clerk's Office, or General Assembly's website: <http://www.cga.ct.gov>.

Table of Contents

Animals	4
Damages for Injuring or Killing Guide or Assistance Dogs.....	4
Entering a Vehicle to Remove an Animal	4
Game Breeder’s License	4
Horseshoe Crabs.....	5
Snapping and Red-Eared Slider Turtles	5
Agriculture	5
Agricultural Land Preservation.....	5
Agricultural Sustainability Account	5
Aquaculture Site for Environmental Education.....	5
Classifying Farm Land under the PA 490 Program	6
Connecticut-Grown Products Sold to Schools.....	6
Constitutional Amendment Protecting State Real Property	6
Per-Student Grant for Vocational Agricultural Centers.....	7

Animals

Damages for Injuring or Killing Guide or Assistance Dogs

By law, the owner or keeper of a dog that injures or kills a companion animal is liable to the injured dog's owner for damages to the companion animal including veterinary care, the companion animal's monetary value, and any burial expenses. Under a new law, if the companion animal is also a guide or assistance dog owned by a blind, deaf, or mobility impaired person, the owner or keeper of the attacking dog is additionally liable for all the companion animal owner's training expenses ([PA 18-131](#), effective upon passage).

Entering a Vehicle to Remove an Animal

Under certain circumstances, a new law provides an affirmative defense against civil damages or criminal penalties to someone who enters a passenger motor vehicle, including by the use of force, to remove an animal he or she reasonably believes is in imminent danger of serious bodily injury. Existing law provides such a defense, subject to the same conditions, to someone who enters a vehicle to remove a child ([PA 18-164](#), § 16, effective October 1, 2018).

Game Breeder's License

Among other things, a new law requires anyone who possesses, breeds, propagates, or sells fallow deer to obtain a game breeder's license from the Department of Energy and Environmental Protection (DEEP). Under prior law, this requirement only applied to sika and white-tailed deer ([PA 18-181](#), § 2, effective October 1, 2018).

Horseshoe Crabs

A new law prohibits hand-harvesting horseshoe crabs from any Stratford shoreline area between Stratford Point and Sniffen Point, making a violation an infraction. It also requires the DEEP commissioner, by January 1, 2020, to submit recommendations to the Environment Committee on (1) establishing restricted areas for horseshoe crab harvesting and (2) any changes to the horseshoe crab harvesting season ([PA 18-112](#), effective upon passage).

Snapping and Red-Eared Slider Turtles

A new law prohibits the (1) commercial trade in snapping turtles until DEEP adopts applicable regulations; (2) import of red-eared slider turtles, with two exceptions; and (3) release of red-eared slider turtles to Connecticut's land or waters. The exceptions for importing red-eared slider turtles are for (1) scientific or educational institutions and (2) buying or selling turtles with unique color patterns. A violation is a class C misdemeanor ([PA 18-114](#), effective October 1, 2018).

Agriculture

Agricultural Land Preservation

By law the agriculture commissioner, with State Properties Review Board approval, may purchase or receive as a gift the fee simple title of an agricultural real property or the personal property related to it. Prior law required him to sell the property as soon as practicable, but keep its development rights. A provision in a new law also allows the commissioner to sell the development rights, in addition to the property, if the purchaser is a municipality or nonprofit organization that preserves agricultural land ([PA 18-181](#), § 5, effective October 1, 2018).

Agricultural Sustainability Account

A new law requires \$1 million appropriated to the Department of Agriculture for Dairy Farmer-Account Sustainability for FY 19 to be transferred to the agricultural sustainability account by July 15, 2018. The agriculture commissioner uses this General Fund account to provide grants to dairy farmers when milk prices fall below the level needed to sustain dairy operations ([PA 18-81](#), § 53, effective upon passage).

Aquaculture Site for Environmental Education

A new law allows the agriculture commissioner to designate one or more suitable shellfish parcels for use by one or more nonprofit education or conservation organizations to develop an aquaculture site for an environmental education curriculum ([PA 18-73](#), § 2, effective upon passage).

Classifying Farm Land under the PA 490 Program

A new law requires tax assessors to approve applications to classify as farm land any land that meets the farm land criteria under the PA 490 program, even if the parcel or portion thereof does not meet municipal zoning regulation standards concerning minimum acreage requirements for residential or agricultural parcels. Under the PA 490 program, property classified as farm land must be assessed at its current use value, rather than its fair market value ([PA 18-176](#), effective October 1, 2018 and applicable to assessment years beginning on or after that date).

Connecticut-Grown Products Sold to Schools

Under a new law, anyone who sells a Connecticut-grown farm product through the Connecticut farm-to-school program must offer proof to the school district, school, or educational institution buying the product that it was produced in Connecticut. The proof must include the name of the person or business that produced the product and the name and address of the farm where it was produced ([PA 18-73](#), § 1, effective October 1, 2018).

Constitutional Amendment Protecting State Real Property

The legislature adopted a resolution proposing a constitutional amendment that, with limited exceptions, prohibits the legislature from enacting legislation requiring a state agency to sell, transfer, or otherwise dispose of real property or an interest in real property to non-state entities.

The ballot designation to be used when the amendment is presented at the general election is: "Shall the Constitution of the State be amended to require (1) a public hearing and the enactment of legislation limited in subject matter to the transfer, sale or disposition of state-owned or state-controlled real property or interests in real property in order for the General Assembly to require a state agency to sell, transfer or dispose of any real property or interest in real property that is under the custody or control of the agency, and (2) if such property is under the custody or control of the Department of Agriculture or the Department of Energy and Environmental Protection, that such enactment of legislation be passed by a two-thirds vote of the total membership of each house of the General Assembly?"

The question will appear on the November 6, 2018 general election ballot. If a majority of those voting on the amendment in the general election approves it, the amendment will become part of the state constitution ([SJR 35](#)).

Per-Student Grant for Vocational Agricultural Centers

The legislature increased, from \$3,200 to \$4,200, the annual state grant for each student attending a regional agricultural science and technology center. As under prior law, the grants are made within available appropriations. These regional centers, which are typically embedded in a local high school, provide high school students with an agricultural education in addition to the comprehensive high school education ([PA 18-81](#), § 52, effective July 1, 2018).

JKL:bs