



**STATE OF CONNECTICUT**  
**DEPARTMENT OF AGRICULTURE**  
**Office of the Commissioner**



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**Testimony Before the Environment Committee**  
**In Support of**

**Raised Bill No. 7297**

***AN ACT CONCERNING QUARANTINE AND DISPOSAL ORDERS OF ANIMAL CONTROL OFFICERS***

MARCH 11, 2019

Good morning Chairwoman Cohen and Chairman Demicco, Vice Chairs Kushner and Gresko, Ranking Members Miner and Harding, and members of the Committee.

Thank you for the opportunity to submit testimony in support of Raised Bill No. 7297, *AN ACT CONCERNING QUARANTINE AND DISPOSAL ORDERS OF ANIMAL CONTROL OFFICERS*.

The Department of Agriculture (DoAg) strongly supports the intent of this bill, and thanks the Committee for considering it.

In large part, this bill reflects a consensus reached, after many hours of discussions and debate, of an advisory working group representing diverse interests. Members include Department staff, state and municipal animal control officers, veterinarians, animal advocates, a bite victim, and a chief municipal elected officer. The advisory working group was charged with making recommendations to clarify and provide municipal animal control officers with additional guidance and parameters when issuing restraint and disposal orders on biting or attacking animals pursuant to C.G.S. §22-358.

In an effort to clarify the provisions within C.G.S. §22-358, it was determined that the existing language that pertained to the quarantine of biting dogs for the purpose of observing any signs

indicative of rabies should be moved to C.G.S. §22-359, the provisions of which provide for the control of rabies.

This legislative proposal tightens existing language concerning the killing of an animal while it is in the act of attacking.

This proposal establishes criteria for an animal control officer to consider when contemplating the issuance of a restraint or disposal order. The criteria include the ability of the owner to control the animal, the severity of the injuries, the viciousness of the attack, whether the attack occurred on or off the property where the animal is kept, whether the animal was provoked, and whether the animal was protecting its owner.

This proposal also reshapes the way in which appeals of restraint and disposal orders are made. It first requires the municipality in which the attack occurred to meet with the dog owner to attempt to resolve any dispute surrounding an order prior to appealing the order to the commissioner. This proposal preserves the Uniform Administrative Procedures Act right of an aggrieved party to appeal to the commissioner and ultimately the superior court.

The Department and the working group believe that this proposal provides for disputes surrounding an order to be settled by mutual agreement between the parties in an effort to reduce the number of appeals to the Department adjudicated through the administrative hearing process. Improvements to this process would provide more timely relief to dog bite victims, dog owners, municipalities, and the Department.

After a thorough review of Raised Bill No. 7297, the Department has a limited number of suggested revisions to the current language that we feel are substantive and necessary based on past experience in enforcing the provisions of C.G.S. §§22-358 and 22-359. We respectfully request that the Committee consider the following suggested revisions:

**Section 1, subsection (c)(1)**, line 99 - Remove the word “improperly”.

**Section 1, subsection (h)**, line 242 – Remove the word “improperly”.

Explanation: It would be extremely difficult, if not impossible, for an Animal Control Officer to determine if a provocation is or was improper or proper.

**Section 1, subsection (i)**, line 251 - Replace the words “guide dog or other animal” with “service animal”.

**Section 1, subsection (i)**, line 252 - Replace the words “blind or a person with a mobility impairment” with “person with a disability”.

Explanation: The language revision suggested for lines 251 and 252 more closely aligns this subsection with the American with Disabilities Act (ADA). As written only blind or mobility impaired individuals are subject to this exemption. In addition, the existing language in Line 251 exempts any other dog owned by a blind person whether a guide dog or not.

**Section 2, subsection (b)**, line 285 - Replace the word “may” with “shall”.

Explanation: For public health and safety reasons it is imperative that quarantines be issued on animals that are suspected of being rabid or have been exposed to rabid animals. Once the State Veterinarian reviews the facts and circumstances, the State Veterinarian will set the quarantine to the appropriate length of time necessary to protect public health and safety.

**Section 2, subsection (c)**, line 302 - Insert the words “from the date of the attack or bite” after the words “ten days.”

Explanation: The language should specifically state that the ten-day quarantine period imposed on an attacking or biting animal begins on the date the incident occurred. A quarantine period lasting for ten days from the date of the attack or bite incident conforms to the guidelines of the current *Compendium of Animal Rabies Prevention and Control* established by the National Association of State and Public Health Veterinarians and followed by the U.S. Centers for Disease Control and Prevention (CDC) as a national standard.

**Section 2, subsection (1)**, line 420 - Replace the words “guide dog or other animal” with “service animal”.

**Section 2, subsection (1)**, line 421 - Replace the words “blind person with a mobility impairment” with “person with a disability”.

Explanation: The language revision suggested for lines 420 and 421 more closely aligns this subsection with the American with Disabilities Act (ADA). As written only blind or mobility impaired individuals are subject to this exemption. In addition, the existing language in Line 420 exempts any other dog owned by a blind person whether a guide dog or not.

Thank you for your consideration of this legislation and for your consideration of the Departments suggested language revisions.

Please feel free to contact the Department if you need further information.