



Senate

General Assembly

File No. 735

January Session, 2019

Substitute Senate Bill No. 1077

Senate, April 17, 2019

The Committee on Planning and Development reported through SEN. CASSANO, S. of the 4th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING MUNICIPAL SHARED SERVICES FOR ANIMAL CONTROL.

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

1 Section 1. Section 22-336 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 Each city or town, other than towns participating in a regional dog
4 pound, shall (1) provide and maintain for use as a dog pound a
5 suitable building, which shall be made comfortable for the detention
6 and care of dogs and other domestic animals and kept in a sanitary
7 condition, or (2) provide, through written agreement, for the detention
8 and care of impounded dogs or other domestic animals by a licensed
9 veterinarian, or in a licensed veterinary hospital, licensed commercial
10 kennel, a dog pound maintained by another city or town, or other
11 suitable facility approved by the commissioner. Any city or town may
12 provide for the use of such building or facility to shelter other
13 domestic animals that are found injured, mistreated or roaming in a

14 manner that endangers the domestic animal or the public. The
 15 commissioner may adopt regulations, in accordance with the
 16 provisions of chapter 54, concerning the construction and maintenance
 17 of dog pounds or other facilities where impounded dogs or other
 18 domestic animals are kept, and the care, handling and transportation
 19 of dogs or other domestic animals by municipal animal control
 20 officers. The commissioner shall approve the use of any facility as a
 21 regional dog pound facility if the commissioner determines that the
 22 building design of such facility does not reasonably permit
 23 modification of the outdoor run at such facility to satisfy any
 24 regulatory requirement for such run. The commissioner may inspect
 25 any dog pound or other facility where impounded dogs or other
 26 domestic animals are kept and may issue such orders as the
 27 commissioner deems necessary to correct any improper conditions
 28 found to exist. If such orders are not complied with, the commissioner
 29 may request the Attorney General to bring an action for their
 30 enforcement, including suit for an injunction in the judicial district in
 31 which the dog pound or facility is located.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22-336

PD *Joint Favorable Subst.*

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:

Municipalities	Effect	FY 20 \$	FY 21 \$
Various Municipalities	Savings	Under 1,000	Under 1,000

Explanation

The bill requires the Department of Agriculture (DoAg) to approve any facility as a regional dog pound if the building cannot be modified to comply with current regulations. It specifies that DoAg cannot order a facility to install a dog run if the building's design does not allow for it.

This is anticipated to result in a savings to municipalities, estimated to be less than \$1,000 annually, associated with dog runs that municipal facilities no longer have to install under the bill's provisions.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 1077*****AN ACT CONCERNING MUNICIPAL SHARED SERVICES FOR ANIMAL CONTROL.*****SUMMARY**

This bill requires the Department of Agriculture commissioner to approve any facility for use as a regional dog pound if the commissioner determines the facility's building design does not reasonably permit modification of its outdoor run to comply with regulatory requirements. Presumably, this means the commissioner, when conducting inspections, cannot order a facility to bring its outdoor run into compliance with regulatory requirements if the commissioner determines the building's design would reasonably preclude the facility from doing so.

EFFECTIVE DATE: Upon passage

BACKGROUND***Enforcement Powers of the Commissioner***

The law authorizes the agriculture commissioner to enact regulations and enforce dog pound laws. By law, the commissioner may inspect dog pounds and issue orders to correct any improper conditions. If a dog pound does not comply with a corrective order, the commissioner may ask the Attorney General to bring an enforcement action against it.

Outdoor Runs

Under existing regulations, dog pounds must have either an indoor run or an outdoor run with an adjacent indoor pen for each adult dog. Outdoor runs are incompletely enclosed areas adjacent to dog pounds used for impounded dogs to exercise.

Outdoor runs must be at least 4 feet wide, 8 feet long, and 6 feet high and have (1) partitions at least 4 feet high separating each run; (2) a permanent roof made of material suitable to protect the runs from snow, rain, and excessive sunlight; and (3) a barrier between the roof and top of the runs to prevent dogs from escaping. The requirements apply to pounds completed or renovated after April 26, 1993 (Conn. Agencies Regs. §§ 22-336-17 & 226-336-30).

Related Bill

sHB 6643, reported favorably by the Planning and Development Committee, allows more municipalities to open regional animal shelters (i.e., dog pound facilities).

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 21 Nay 0 (03/29/2019)