



# House of Representatives

General Assembly

**File No. 83**

February Session, 2024

Substitute House Bill No. 5223

*House of Representatives, March 21, 2024*

The Committee on Environment reported through REP. GRESKO of the 121st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING MINOR REVISIONS TO AGRICULTURE RELATED STATUTES.**

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

1 Section 1. Section 22-327 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 As used in this chapter:

4 (1) "Animal" means any brute creature, including, but not limited to,  
5 dogs, cats, monkeys, guinea pigs, hamsters, rabbits, birds and reptiles;

6 (2) "Chief Animal Control Officer", "Assistant Chief Animal Control  
7 Officer" and "animal control officer" mean, respectively, the Chief State  
8 Animal Control Officer, the Assistant Chief State Animal Control  
9 Officer and a state animal control officer appointed under section 22-  
10 328;

11 (3) "Commercial kennel" means a place maintained for boarding or  
12 grooming dogs or cats, and includes, but is not limited to, any veterinary

13 hospital which boards or grooms dogs or cats for nonmedical purposes;

14 (4) "Commissioner" means the Commissioner of Agriculture;

15 (5) "Grooming facility" means any place, [other than a commercial  
16 kennel, which] including any vehicle or trailer, that is maintained as a  
17 business where dogs are groomed;

18 (6) "Keeper" means any person, other than the owner, harboring or  
19 having in his possession any dog;

20 (7) "Kennel" means one pack or collection of dogs which are kept  
21 under one ownership at a single location and are bred for show, sport  
22 or sale;

23 (8) "Municipal animal control officer" means any such officer  
24 appointed under the provisions of section 22-331;

25 (9) "Pet shop" means any place at which animals not born and raised  
26 on the premises are kept for the purpose of sale to the public;

27 (10) "Poultry" has the same meaning as provided in section 22-326s;

28 [(11) "Regional animal control officer" and "assistant regional animal  
29 control officer" means a regional Connecticut animal control officer and  
30 an assistant regional Connecticut animal control officer appointed  
31 under the provisions of section 22-331a;]

32 [(12)] (11) "Training facility" means any place [, other than a  
33 commercial kennel or grooming facility, which] that is maintained as a  
34 business where dogs are trained;

35 [(13)] (12) "Service animal" has the same meaning as provided in 28  
36 CFR 35.104 and includes any animal in training to become a service  
37 animal.

38 Sec. 2. Section 22-367 of the 2024 supplement to the general statutes  
39 is repealed and the following is substituted in lieu thereof (*Effective from*  
40 *passage*):

41 Any person owning, keeping or harboring a dog or cat or maintaining  
42 a [breeding] local kennel or commercial kennel who violates any  
43 provision of this chapter for the violation of which no other penalty is  
44 provided, or any regulation legally made and published shall be fined  
45 not less than two hundred fifty dollars or imprisoned not more than  
46 thirty days or both. No commercial kennel shall board any dog or cat  
47 unless the owner of the dog or cat presents a certificate of vaccination as  
48 required by this chapter. The Chief Animal Control Officer, any animal  
49 control officer and any municipal or regional control officer shall  
50 diligently inquire after, and prosecute for, any violation of any provision  
51 of this chapter.

52 Sec. 3. Subsection (a) of section 22-380f of the general statutes is  
53 repealed and the following is substituted in lieu thereof (*Effective from*  
54 *passage*):

55 (a) No pound shall sell or give away any unspayed or unneutered  
56 dog or cat to any person unless such pound receives forty-five dollars  
57 from the person buying or adopting such dog or cat. Funds received  
58 pursuant to this section shall be paid quarterly by the municipality into  
59 the animal population control account established under section 22-  
60 380g. At the time of receipt of such payment, the pound shall complete  
61 a voucher, for the purpose of benefits, as provided in section 22-380i, for  
62 the sterilization and vaccination of such dog or cat and (1) provide the  
63 voucher to the person buying or adopting such dog or cat, or (2) retain  
64 such voucher and submit it to a participating veterinarian for such  
65 sterilization and vaccination before releasing the dog or cat to the person  
66 buying or adopting the dog or cat. Any such voucher shall be on a form  
67 provided by the commissioner and signed (A) by the eligible owner if  
68 the voucher is provided to the person buying or adopting the dog or cat,  
69 or (B) by a representative of the pound if the pound retains the voucher.  
70 Such voucher shall become void after sixty days from the date of  
71 purchase or adoption unless a participating veterinarian certifies that  
72 the dog or cat is medically unfit for surgery. Such certification shall be  
73 on a form provided by the commissioner and specify a date by which  
74 such dog or cat may be fit for sterilization. If the surgery is performed

75 more than thirty days after such specified date, the voucher shall  
76 become void. In the case of a dog or cat that has been previously  
77 sterilized or is permanently medically unfit for sterilization, as  
78 determined by a participating veterinarian, the voucher shall be void  
79 and the eligible owner may apply to the commissioner for a refund in  
80 the amount of forty-five dollars. If a dog or cat [has pyometra and] is not  
81 purchased or adopted from a pound, a representative of the pound may  
82 complete a voucher, for the purpose of benefits, as provided in section  
83 22-380i, and submit such voucher to a participating veterinarian for the  
84 sterilization and vaccination of such dog or cat.

85 Sec. 4. Section 22-413 of the general statutes is repealed and the  
86 following is substituted in lieu thereof (*Effective from passage*):

87 (a) Any equine presented for public auction in this state shall have a  
88 health certificate issued by a veterinarian licensed pursuant to the  
89 provisions of chapter 384. [and cosigned by the State Veterinarian.] Such  
90 examination shall be obtained within ten days prior to the auction and  
91 shall be made at the expense of the owner.

92 (b) Any equine presented for public auction in this state shall have a  
93 certificate indicating a negative reaction to a [coggins] Coggins test  
94 which shall be obtained within sixty days prior to such auction.

95 (c) Any person violating any provision of this section shall be fined  
96 not less than one hundred dollars or more than five hundred dollars for  
97 each violation.

98 Sec. 5. Section 22-415a of the general statutes is repealed and the  
99 following is substituted in lieu thereof (*Effective from passage*):

100 As used in sections [22-415a] 22-410 to 22-415j, inclusive:

101 (1) "Commissioner" means the Commissioner of Agriculture;

102 (2) "Equine" means any member of the equine family which includes  
103 horses, ponies, mules, asses, donkeys and zebras;

104 (3) "Equine infectious anemia" means a disease of equines caused by  
105 an infectious virus which may be spread by blood-sucking insects,  
106 unsterile surgical instruments and community use of equipment that  
107 may produce cuts or abrasions and which may cause an equine to test  
108 positive to an official test;

109 (4) "Licensed veterinarian" means a veterinarian who is licensed  
110 pursuant to the provisions of chapter 384;

111 (5) "Official test" means a serological test for equine infectious anemia  
112 that is (A) approved by the Animal and Plant Health Inspection Service  
113 of the United States Department of Agriculture, (B) conducted in a  
114 laboratory approved by the Commissioner of Agriculture, and (C)  
115 administered by a licensed veterinarian, state veterinarian, or full-time  
116 employee with the state Department of Agriculture;

117 (6) "Reactor" means an equine whose blood serum reacts positively  
118 to an official test for equine infectious anemia;

119 (7) "Freeze-brand" means a metal brand which produces a permanent  
120 mark with a configuration of 16A that is three inches in height and is  
121 applied to the left neck or shoulder area of any equine that is positive to  
122 the equine infectious anemia test in such a manner that the brand is  
123 obvious and not obscured by a mane;

124 (8) "Isolation" means no biological contact with another equine;

125 (9) "Coggins test" means an official test for equine infectious anemia.

126 Sec. 6. Section 22-90 of the general statutes is repealed and the  
127 following is substituted in lieu thereof (*Effective from passage*):

128 The State Entomologist shall, to such extent as he or she deems  
129 necessary or expedient, examine apiaries and quarantine such as are  
130 diseased, harboring insects, mites or parasitic organisms adversely  
131 affecting bees or species or subspecies of bees, which have been  
132 determined by the State Entomologist to cause harm, directly or  
133 indirectly, to the bee population, crops or other plants and treat or

134 destroy cases of the disease known as foul brood, insects, mites or  
135 parasitic organisms adversely affecting bees or species or subspecies of  
136 bees, which have been determined by the State Entomologist to cause  
137 harm, directly or indirectly, to the bee population, crops or other plants.  
138 The State Entomologist may appoint such inspectors as he or she deems  
139 necessary or expedient, and he or she or any person whom he or she  
140 appoints for that purpose shall have access at reasonable times to any  
141 apiary or place where bees are kept or where honeycomb and appliances  
142 are stored. [Any person appointed for such purpose shall possess all the  
143 qualifications for an Agricultural Research Technician II employed by  
144 the Connecticut Agricultural Experiment Station and have either five or  
145 more years of beekeeping experience or a minimum of three years of  
146 experience as a bee inspector at the federal or state level.] The State  
147 Entomologist is authorized to make suitable regulations regarding  
148 inspections and quarantine and to prescribe suitable forms for  
149 permanent records, which shall be on file and open to public inspection,  
150 and to make reasonable rules for the services of such inspectors, and  
151 may pay a reasonable sum for such services. No person or corporation  
152 shall remove bees under quarantine to another locality without  
153 obtaining the written permission of an authorized inspector. No person  
154 or transportation company shall receive for transportation any colony  
155 or package of bees, unless such colony or package is accompanied by a  
156 certificate of good health, furnished by an authorized inspector. No  
157 person or transportation company shall deliver any colony or package  
158 of bees brought from any other country, province, state or territory  
159 unless accompanied by a certificate of health furnished by an authorized  
160 inspector of such country, province, state or territory. Any person or  
161 transportation company receiving a shipment of bees from without the  
162 state, unaccompanied by such certificate, shall, before delivering such  
163 shipment to its consignee, notify the State Entomologist and hold such  
164 shipment until inspected by an authorized inspector. If contagious  
165 diseases, insects, mites or parasitic organisms adversely affecting bees  
166 or species or subspecies of bees, which have been determined by the  
167 State Entomologist to cause harm, directly or indirectly, to the bee  
168 population, crops or other plants are found therein, such shipment shall

169 be returned to the consignor or delivered to an authorized inspector of  
170 this state for treatment or destruction, provided the requirements of this  
171 section shall not apply to shipments of brood comb, with or without  
172 bees, suspected of being diseased and consigned to the State  
173 Entomologist, the agricultural experiment station or any authorized  
174 apiary inspector of the state or to the Bureau of Entomology of the  
175 United States or the United States Department of Agriculture, and  
176 provided there shall be no destruction of any shipment of bees as herein  
177 provided in the absence of reasonable notice to the consignee thereof.  
178 No person shall resist or hinder the State Entomologist, or any inspector  
179 whom he or she appoints, in the performance of the duties imposed by  
180 this section. No person or corporation shall sell, to be removed to  
181 another location, bees, brood comb, frames or hives that have been in  
182 use, with or without combs, until they have been inspected by an  
183 authorized inspector, who shall issue a certificate of health if they are  
184 found free of contagious disease, insects, mites or parasitic organisms  
185 adversely affecting bees or species or subspecies of bees, which have  
186 been determined by the State Entomologist to cause harm, directly or  
187 indirectly, to the bee population, crops or other plants. Any person  
188 violating any provision of this section shall be fined not more than one  
189 hundred dollars for a first violation, three hundred dollars for a second  
190 violation and five hundred dollars for a third and any subsequent  
191 violation.

192 Sec. 7. Subsection (a) of section 22-131 of the general statutes is  
193 repealed and the following is substituted in lieu thereof (*Effective from*  
194 *passage*):

195 (a) In accordance with section 4-9a, the Governor, [with the advice  
196 and consent of either house of the General Assembly,] shall appoint  
197 eight electors of the state, two of whom are actively engaged in the sale  
198 and distribution of milk, two of whom are actively engaged in the  
199 processing of milk, two of whom have no active or financial interest in  
200 the production or sale of milk, and two of whom are actively engaged  
201 in the production of milk, which eight electors, with the Commissioner  
202 of Public Health, or the commissioner's designee, and the Commissioner

203 of Agriculture, shall constitute the Milk Regulation Board. The  
204 Governor, for cause, after a public hearing, may remove any appointed  
205 member of the board.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22-327
Sec. 2	<i>from passage</i>	22-367
Sec. 3	<i>from passage</i>	22-380f(a)
Sec. 4	<i>from passage</i>	22-413
Sec. 5	<i>from passage</i>	22-415a
Sec. 6	<i>from passage</i>	22-90
Sec. 7	<i>from passage</i>	22-131(a)

**ENV**      *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:**

Agency Affected	Fund-Effect	FY 25 \$	FY 26 \$
Resources of the General Fund	GF - Potential Revenue Gain	Up to \$25,000	Up to \$25,000

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill results in a potential General Fund revenue gain of up to \$25,000 per year, beginning in FY 25, from requiring businesses to get separate commercial kennel, grooming facility, and training facility licenses from the Department of Agriculture. The annual revenue gain will be dependent on the number of licensed commercial kennels that are also engaged in the business of grooming or training that will need to obtain a separate license for these operations.

The other provisions of the bill make modifications to current statutes that are not anticipated to result in a state or municipal fiscal impact.

**The Out Years**

The annualized ongoing fiscal impact identified above will continue subject the number of businesses applying annually for multiple licenses.

**OLR Bill Analysis****sHB 5223*****AN ACT CONCERNING MINOR REVISIONS TO AGRICULTURE RELATED STATUTES.*****SUMMARY**

This bill makes numerous unrelated changes to agriculture-related statutes. It primarily does the following:

1. requires businesses to get separate commercial kennel, grooming facility, and training facility licenses from the Department of Agriculture (DoAg) by removing current exemptions in the definitions of grooming facility and training facility;
2. specifies that a grooming facility, which is a place maintained to groom dogs, includes a vehicle or trailer used for a dog grooming business;
3. removes the requirement that the governor's eight appointees to the Milk Regulation Board (which is responsible for adopting regulations on the sale and production of milk and milk products) be confirmed by either General Assembly chamber, allowing them to be seated without legislative review;
4. allows a municipal pound to use a voucher from the Animal Population Control Program (see BACKGROUND) to get any dog or cat, rather than only ones with pyometra, sterilized and vaccinated before the animal is purchased or adopted from the pound;
5. removes a requirement that the state veterinarian sign a health certificate that a state-licensed veterinarian issues for an equine (e.g., horse) being brought to public auction and defines

“Coggins test” as the official test for equine infectious anemia (for which equines being auctioned must test negative by law); and

6. removes the minimum qualifications for a person to be appointed by the state entomologist as an apiary inspector.

The bill also makes technical changes.

EFFECTIVE DATE: Upon passage

## **§ 1 — COMMERCIAL KENNEL, GROOMING, AND TRAINING SERVICES**

By removing the exemption for commercial kennels from the definitions of “grooming facility” and “training facility” and removing the exemption for grooming facilities from the definition of “training facility,” the bill requires a business to get a license from DoAg for each activity it conducts. Correspondingly, it requires the business to comply with the statutory requirements for each license type as a separate entity. Under current law, a commercial kennel that also grooms or trains dogs, and a grooming facility that also trains dogs, are exempt from the additional licensure requirements.

By law, a commercial kennel license costs \$400. Grooming facility and training facility licenses cost \$200 each. Each license expires the December 31 following its issuance and may be renewed every two years. Licensees must comply with state regulations on sanitation, disease, humane treatment of animals, and public safety as well as municipal zoning regulations (CGS § 22-344).

## **§ 6 — APIARY INSPECTOR**

The bill removes the minimum qualifications for an apiary inspector. Under current law, to be appointed as an inspector by the state entomologist, a person must meet the qualifications of an Agricultural Research Technician II at the Connecticut Agricultural Experiment Station and have at least five years of beekeeping experience or three years of experience as a bee inspector.

## **BACKGROUND**

**Animal Population Control Program Vouchers**

By law, municipal pounds cannot sell or give away an unspayed or unneutered dog or cat unless the person buying or adopting the animal pays \$45 for a spay and neuter voucher. The person can redeem the voucher at a participating veterinarian for sterilization and vaccination services, or the pound can arrange for the services before releasing the animal. If the veterinarian determines the animal is medically unfit for sterilization, the person may apply to DoAg for a refund.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 34 Nay 0 (03/08/2024)