



Senate

General Assembly

File No. 433

February Session, 2024

Senate Bill No. 427

Senate, April 11, 2024

The Committee on Judiciary reported through SEN. WINFIELD of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING POLICE ANIMALS AND DOGS IN VOLUNTEER CANINE SEARCH AND RESCUE TEAMS.

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

1 Section 1. Section 53-247 of the 2024 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2024*):

4 (a) Any person who (1) overdrives, drives when overloaded,
5 overworks, tortures, deprives of necessary sustenance, mutilates or
6 cruelly beats or kills or unjustifiably injures any animal, [or who,] (2)
7 having impounded or confined any animal, fails to give such animal
8 proper care or neglects to cage or restrain any such animal from doing
9 injury to itself or to another animal or fails to supply any such animal
10 with wholesome air, food and water, [or] (3) unjustifiably administers
11 any poisonous or noxious drug or substance to any domestic animal or
12 unjustifiably exposes any such drug or substance, with intent that the
13 same shall be taken by an animal, or causes it to be done, [or,] (4) having
14 charge or custody of any animal, inflicts cruelty upon it or fails to

15 provide it with proper food, drink or protection from the weather or
16 abandons it or carries it or causes it to be carried in a cruel manner, or
17 (5) fights with or baits, harasses or worries any animal for the purpose
18 of making it perform for amusement, diversion or exhibition, shall, for
19 a first offense, be fined not more than one thousand dollars or
20 imprisoned not more than one year or both, and for each subsequent
21 offense, shall be guilty of a class D felony.

22 (b) Any person who maliciously and intentionally maims, mutilates,
23 tortures, wounds or kills an animal shall, (1) for a first offense, be guilty
24 of a class D felony, and (2) for any subsequent offense, be guilty of a
25 class C felony. The provisions of this subsection shall not apply to any
26 licensed veterinarian while following accepted standards of practice of
27 the profession or to any person while following approved methods of
28 slaughter under section 22-272a, while performing medical research as
29 an employee of, student in or person associated with any hospital,
30 educational institution or laboratory, while following generally
31 accepted agricultural practices or while lawfully engaged in the taking
32 of wildlife.

33 (c) Any person who knowingly (1) owns, possesses, keeps or trains
34 an animal engaged in an exhibition of fighting for amusement or gain,
35 (2) possesses, keeps or trains an animal with the intent that it be engaged
36 in an exhibition of fighting for amusement or gain, (3) permits an act
37 described in subdivision (1) or (2) of this subsection to take place on
38 premises under [his] such person's control, (4) acts as judge or spectator
39 at an exhibition of animal fighting for amusement or gain, or (5) bets or
40 wagers on the outcome of an exhibition of animal fighting for
41 amusement or gain, shall be guilty of a class D felony.

42 (d) Any person who intentionally injures or kills any animal while
43 such animal is in the performance of its duties under the supervision of
44 a peace officer, as defined in section 53a-3, or intentionally injures or
45 kills a dog that is a member of a volunteer canine search and rescue
46 team, as defined in section 5-249, while such dog is in the performance
47 of its duties under the supervision of the active individual member of

48 such team, shall be guilty of a class [D] C felony.

49 (e) Any person who intentionally [kills] annoys, teases, torments or
50 otherwise harasses any animal while such animal is confined in a motor
51 vehicle while in the performance of its duties under the supervision of
52 a peace officer, as defined in section 53a-3, [or intentionally kills a dog
53 that is a member of a volunteer canine search and rescue team, as
54 defined in section 5-249, while such dog is in the performance of its
55 duties under the supervision of the active individual member of such
56 team, shall be fined not more than ten thousand dollars or imprisoned
57 not more than ten years, or both] shall be guilty of a Class D
58 misdemeanor.

59 (f) In addition to any sentence imposed pursuant to subsections (a) to
60 (e), inclusive, of this section, at the time of a person's sentencing for a
61 conviction under this section, the court shall order that, for the five-year
62 period commencing from the date of such conviction or the date of such
63 person's release from imprisonment for such conviction, whichever is
64 later, such person (1) shall not harbor, own, possess, reside with, adopt
65 or serve as a foster placement for any animal, and (2) shall not be
66 employed by, or volunteer for, any entity in any position that involves
67 care for, or regular contact with, any animal.

68 Sec. 2. (NEW) (*Effective from passage*) (a) On and after July 1, 2025,
69 emergency medical services personnel, as defined in section 20-206jj of
70 the general statutes, may provide emergency treatment to an animal
71 that is injured in the performance of its duties under the supervision of
72 a peace officer, as defined in section 53a-3 of the general statutes, and
73 transport such animal by ambulance to a veterinary facility equipped to
74 provide emergency treatment to such animal pursuant to regulations
75 adopted under subsection (b) of this section, provided such treatment
76 or transportation may not be provided if it would inhibit the ability of
77 such personnel to provide emergency medical attention or transport to
78 a person requiring such services.

79 (b) Not later than July 1, 2025, the Department of Public Health shall
80 adopt regulations, in accordance with the provisions of chapter 54 of the

81 general statutes, regarding (1) training of emergency services personnel
82 in basic level first aid, cardiopulmonary resuscitation and life-saving
83 interventions for such animals; (2) safe handling procedures for such
84 animals; (3) identification of veterinary facilities that provide emergency
85 treatment for such animals; and (4) decontamination and sterilization
86 requirements for equipment and vehicles after transport of such
87 animals.

88 Sec. 3. Subsection (a) of section 20-197 of the general statutes is
89 repealed and the following is substituted in lieu thereof (*Effective from*
90 *passage*):

91 (a) No person shall practice veterinary medicine, surgery or dentistry
92 until such person has obtained a license as provided in section 20-199.
93 A person shall be construed to practice veterinary medicine, surgery or
94 dentistry, within the meaning of this chapter, who holds himself or
95 herself out as being able to diagnose, administer biologics for, treat,
96 operate or prescribe for any animal or bird disease, pain, injury,
97 deformity or physical condition, or who either offers or undertakes, by
98 any means or methods, to diagnose, administer biologics for, treat,
99 operate or prescribe for any animal or bird disease, pain, injury,
100 deformity or physical condition. The treatment of animals by emergency
101 medical services personnel pursuant to section 2 of this act shall not be
102 deemed to be the practice of veterinary medicine. The euthanizing of
103 animals in accordance with applicable state and federal drug laws by
104 the Connecticut Humane Society, the floating of teeth in horses by
105 persons experienced in that practice and the performance of myofascial
106 trigger point therapy by persons experienced in that practice shall not
107 be deemed to be the practice of veterinary medicine. For the purposes
108 of this section, (1) "floating teeth" means using hand-held rasps to
109 reduce or eliminate sharp or uneven edges on a horse's upper and lower
110 molars to avoid injury to the tongue and cheeks and to improve chewing
111 food, but does not include treating decay or tumors or extracting teeth,
112 [For the purposes of this section,] (2) "myofascial trigger point therapy"
113 means the use of specific palpation, compression, stretching and
114 corrective exercise for promoting optimum athleticism, and (3) "persons

115 experienced in that practice" means persons who, prior to October 1,
 116 2003, have attended a minimum of two hundred hours of classroom,
 117 lecture and hands-on practice in myofascial trigger point therapy,
 118 including animal musculoskeletal anatomy and biomechanics, theory
 119 and application of animal myofascial trigger point techniques, factors
 120 that habituate a presenting condition and corrective exercise.

121 Sec. 4. (NEW) (*Effective July 1, 2024*) For the fiscal year ending June 30,
 122 2025, and each fiscal year thereafter, the Department of Emergency
 123 Services and Public Protection shall, within available appropriations,
 124 administer a grant program to provide law enforcement units that use
 125 one or more dogs to perform law enforcement duties as part of a state-
 126 wide or municipal canine unit with body armor for such dogs. Not later
 127 than October 1, 2024, the department shall post in a conspicuous place
 128 on the department's Internet web site a description of the grant
 129 program, including, but not limited to, eligibility criteria and the
 130 application process for the program. A law enforcement unit shall apply
 131 for such grants on such forms and in such manner as determined by the
 132 department.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	53-247
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	20-197(a)
Sec. 4	<i>July 1, 2024</i>	New section

JUD *Joint Favorable*

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 \$
Public Health, Dept.	GF - Cost	100,000	None
Judicial Dept. (Probation); Correction, Dept.	GF - Potential Cost	Minimal	Minimal
Resources of the General Fund	GF - Potential Revenue Gain	Minimal	Minimal
Resources of the General Fund	GF - Potential Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 25 \$	FY 26 \$
Various Municipal Police Departments	Potential Savings	See Below	See Below

Explanation

The bill establishes new policies and makes several changes to statutes affecting police animals and canine units, resulting in the following impacts.

Section 1 expands the penalty for killing certain working animals to a class C felony and makes it a class D misdemeanor to tease or torment certain working animals that are confined in a vehicle. This results in a potential cost to the Department of Correction and the Judicial Department for incarceration or probation and a potential revenue gain to the General Fund from fines. On average, the marginal cost to the

state for incarcerating an offender for the year is \$3,300¹ while the average marginal cost for supervision in the community is less than \$800² each year for adults and \$1,000 each year for juveniles. Few violations are anticipated.³

Section 2 is anticipated to result in a consultant cost of up to \$100,000 in FY 25 to the Department of Public Health as it requires the department to adopt regulations on: (1) training of EMS personnel in basic level first aid, cardiopulmonary resuscitation, safe handling procedures, and life-saving interventions for certain animals; (2) identification of veterinary facilities that provide emergency treatment; and (3) decontamination and sterilization requirements for equipment and vehicles after animal transport.

Section 3 makes conforming changes, resulting in no fiscal impact to the state or municipalities.

¹Inmate marginal cost is based on increased consumables (e.g., food, clothing, water, sewage, living supplies, etc.). This does not include a change in staffing costs or utility expenses because these would only be realized if a unit or facility opened.

²Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

³Since FY 14, 21 similar charges have been recorded.

Section 4 requires the Department of Emergency Services and Public Protection (DESPP) to administer a grant program to provide canine body armor to law enforcement canine units, resulting in a potential cost to the General Fund and potential savings to various municipal police departments beginning in FY 25, to the extent that grants are awarded.⁴ These potential costs are contingent upon funding being made available for the grant program.⁵

The Out Years

The annualized ongoing fiscal impact to the Department of Correction and Judicial Department identified above would continue into the future subject to the actual number of violations.

The potential impacts identified in section 4 will continue—but are expected to decrease—in the out years to the extent that municipalities continue to apply for grants as replacement sets are needed.⁶

⁴Such body armor can range from \$900 to \$1,500 per set and there are approximately 60 police canine units in the state. If each unit were to receive an average of two sets of armor under this grant program, the resulting cost to the state (and cumulative savings to municipal police departments) could range from \$108,000 to \$180,000.

⁵The bill does not allocate funds from any source. Historically, DESPP has received funds for similar programs from a variety of sources including appropriations, bond authorizations, and federal funds (including ARPA). If DESPP receives state funding, it is assumed to be a General Fund appropriation or bond authorization.

⁶Some law enforcement units only have one to two canines and are not expected to require replacement sets of armor for another five to ten years. Units with more canines may require replacement sets more frequently.

OLR Bill Analysis**SB 427*****AN ACT CONCERNING POLICE ANIMALS AND DOGS IN VOLUNTEER CANINE SEARCH AND RESCUE TEAMS.*****SUMMARY**

This bill makes several changes affecting animals that assist certain public safety organizations. Primarily, the bill does the following:

1. increases the criminal penalty for intentionally injuring a peace officer's animal or a volunteer canine search and rescue team's dog and makes it a crime to harass a peace officer's dog when it is on duty and in a motor vehicle,
2. allows emergency medical services (EMS) personnel to give emergency treatment to an injured peace officer's animal and transport the animal to a veterinarian facility, and
3. creates a grant program to provide body armor to dogs in law enforcement units.

The bill also makes technical changes.

EFFECTIVE DATE: Upon passage, except for the dog body armor grant program provisions, which take effect July 1, 2024, and the criminal penalty provisions, which take effect October 1, 2024.

§ 1 — CRIMINAL PENALTIES FOR INJURING, KILLING, OR HARASSING PUBLIC SAFETY ANIMALS

The bill increases the criminal penalty for intentionally injuring a peace officer's animal or a volunteer canine search and rescue team's dog while the animal is on duty and under supervision. Specifically, the bill raises the penalty from a class D felony to a class C felony, which increases the (1) maximum prison term from five to 10 years and (2)

maximum fine from \$5,000 to \$10,000.

The bill also formally classifies the intentional killing of these animals as a class C felony. Under current law, this crime is an unclassified felony with the same maximum imprisonment and fine as a class C felony (i.e., up to 10 years imprisonment, up to a \$10,000 fine, or both).

Additionally, the bill makes it a class D misdemeanor to intentionally annoy, tease, torment, or otherwise harass a peace officer's animal when it is confined in a motor vehicle while on duty and under an officer's supervision. A class D misdemeanor is punishable by up to 30 days in prison, a fine of up to \$250, or both.

By law, in addition to any sentence for intentionally injuring or killing these animals, the court must also issue an order prohibiting the convicted person from, among other things, owning, living with, or working with animals for five years after conviction or release from prison, whichever is later. The bill also applies this sentencing requirement to convictions for harassing a peace officer's animal.

§§ 2 & 3 — EMS PERSONNEL TREATING AND TRANSPORTING PEACE OFFICERS' ANIMALS

Under the bill, the Department of Public Health (DPH) must adopt regulations by July 1, 2025, on the emergency treatment of peace officers' animals. Specifically, the regulations must cover the following:

1. training emergency services personnel in basic first aid, cardiopulmonary resuscitation, and life-saving interventions for the animals;
2. safe handling procedures for the animals;
3. identifying veterinary facilities that provide emergency treatment for them; and
4. decontaminating and sterilizing equipment and vehicles after transporting them.

Beginning July 1, 2025, the bill allows EMS personnel to provide emergency treatment to a peace officer's animal that is injured while it is on duty and under an officer's supervision. It also allows EMS personnel to transport the injured animal by ambulance to a veterinary facility equipped to provide it with emergency treatment consistent with the DPH regulations. However, the bill prohibits the EMS personnel from treating or transporting the animal if it would inhibit their ability to provide emergency medical attention or transport to a person requiring their services.

The bill also specifies that an EMS personnel's treatment of a peace officer's animal is not the practice of veterinary medicine. (Under existing law, practicing veterinary medicine requires licensure.)

§ 4 — DOG BODY ARMOR GRANT PROGRAM

The bill requires the Department of Emergency Services and Public Protection to administer, within available appropriations, a grant program to provide body armor for dogs in law enforcement units. The bill limits grant eligibility to units that use dogs to do law enforcement duties as part of a statewide or municipal canine unit. By October 1, 2024, the department must post a description of the grant program, including the eligibility criteria and application process, in a conspicuous place on its website. Grants must be made starting in FY 25 and annually afterwards.

BACKGROUND

Definitions

By law, the following people are designated "peace officers": state and local police, Division of Criminal Justice inspectors, state marshals exercising statutory powers, judicial marshals performing their duties, conservation or special conservation officers, constables who perform criminal law enforcement duties, appointed special policemen, adult probation officers, Department of Correction officials authorized to make arrests in a correctional institution or facility, investigators in the State Treasurer's Office, motor vehicle inspectors in the Department of Motor Vehicles who have received Police Officer Standards and

Training Council certification, U.S. marshals and deputy marshals, U.S. special agents authorized to enforce federal food and drug laws, and certified police officers of a law enforcement unit created and governed under a state-tribal memorandum (CGS § 53a-3(9)).

A “volunteer canine search and rescue team” is a person and a dog (1) appropriately trained and certified to do search and rescue operations by a nonprofit canine search and rescue organization that is a member of the National Association of Search and Rescue or its successor organization and (2) who jointly work at the request of a police or fire department without compensation (CGS § 5-249(d)).

“Emergency medical services personnel” is a certified emergency medical responder, emergency medical technician, advanced emergency medical technician, emergency medical services instructor, or a licensed paramedic (CGS § 20-206jj(5)).

Related Bill

SB 339 (File 217), reported favorably by the Public Safety and Security Committee, requires anyone convicted of intentionally injuring or killing a peace officer’s animal or a volunteer canine search and rescue team’s dog to pay restitution to the animal’s owner.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 37 Nay 0 (03/26/2024)