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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 1850

02/16/2023 Authored by Daudt and Novotny The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; prevention of cruelty to animals; creating the Office of
1.3 Animal Protection; requiring a report; appropriating money; proposing coding for
1.4 new law in Minnesota Statutes, chapter 299A.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. 299A.86 OFFICE OF ANIMAL PROTECTION.

1.7 Subdivision 1. Definitions. As used in this section, the following terms have the meanings
1.8 given.

1.9 (a) "Animal" means an animal commonly kept as a pet in households in the United
1.10 States, including dogs, cats, rabbits, guinea pigs, ferrets, small rodents, small nonnative
1.11 birds, and small nonvenomous amphibians and reptiles.

1.12 (b) "Animal rescue" means any person, group, agency, society, firm, or corporation that
1.13 takes in, accepts, or receives animals that are unwanted, surrendered, strayed, abandoned,
1.14 obtained from municipalities, or purchased, with the intent or purpose of subsequently
1.15 placing the animals in permanent homes. An animal rescue keeps animals in a person's
1.16 private home until a permanent home is found for the animals. An animal rescue does not
1.17 generally use a central facility to house animals.

1.18 (c) "Animal shelter" means any place, building, tract of land, abode, or vehicle where
1.19 animals are taken in, accepted, or received and kept that are unwanted, surrendered, strayed,
1.20 abandoned, obtained from municipalities, or purchased, with the intent or purpose of
1.21 subsequently placing them in permanent homes. Animal shelter does not include a person's
1.22 home where animals are kept as pets solely for the person's own use or enjoyment.

2.1 (d) "Director" means the director of the Office of Animal Protection.

2.2 (e) "Office" means the Office of Animal Protection.

2.3 Subd. 2. **Establishment.** The commissioner of public safety shall establish and maintain
2.4 the Office of Animal Protection as an office within the Department of Public Safety.

2.5 Subd. 3. **Director; staff.** (a) The commissioner of public safety must appoint as a director
2.6 a person who is highly qualified and knowledgeable about law enforcement, animal welfare,
2.7 the prevention of animal cruelty, rescuing and providing temporary shelter to animals, and
2.8 dangerous dog law.

2.9 (b) The director may select, appoint, and compensate out of available funds assistants
2.10 and employees, including animal protection officers, as necessary to discharge the office's
2.11 responsibilities.

2.12 (c) The director and the office's full-time staff shall be members of the Minnesota State
2.13 Retirement System.

2.14 (d) The director shall create a Division of Enforcement as a separate division of the
2.15 Office of Animal Protection. The director shall appoint a director of the division. The director
2.16 may place the division director's position in the unclassified service if the position meets
2.17 the criteria established in section 43A.08, subdivision 1a.

2.18 (e) Animal protection officers shall be sworn peace officers as defined in section 626.84,
2.19 subdivision 1, paragraph (c), charged with statewide prevention and detection of crimes
2.20 against animals and the enforcement of laws of the state regarding animal cruelty and welfare
2.21 and shall have the full power of arrest.

2.22 Subd. 4. **Duties.** The Office of Animal Protection shall have the following duties:

2.23 (1) to promote programs to protect the welfare of animals;

2.24 (2) to coordinate with local law enforcement officers to enforce the requirements in
2.25 chapters 343 and 346 regarding animal welfare and the prevention of animal cruelty;

2.26 (3) to investigate alleged crimes against animals in accordance with the requirements
2.27 in sections 343.12 and 343.22;

2.28 (4) to provide training programs regarding the prevention of animal cruelty and
2.29 investigation of animal cruelty allegations;

2.30 (5) to provide assistance in locating shelters for displaced animals during emergencies
2.31 or natural disasters;

3.1 (6) to establish and maintain a statewide dangerous dog database; and

3.2 (7) upon request from local law enforcement agencies, to investigate alleged violations
3.3 of sections 347.50 to 347.565 regarding dangerous dogs.

3.4 **Subd. 5. Education and communication.** The Office of Animal Protection shall:

3.5 (1) establish and maintain a website that provides information and resources regarding
3.6 animal care;

3.7 (2) support and promote education and outreach campaigns regarding animal welfare
3.8 and the prevention of crimes against animals;

3.9 (3) establish and maintain a database of trained volunteers, animal rescues, and animal
3.10 shelters in the state who may assist with providing or provide temporary shelter to animals
3.11 during emergencies or natural disasters;

3.12 (4) develop and host training seminars for individuals interested in volunteering or
3.13 providing temporary shelter for animals during emergencies or natural disasters;

3.14 (5) coordinate with cities and counties to collect information on dangerous dogs;

3.15 (6) create and maintain a training curriculum for professionals who may encounter animal
3.16 crimes within the scope of the professionals' duties;

3.17 (7) provide training programs to professionals, students, police officers, and humane
3.18 agents as specified in sections 343.01 to 343.12 in preventing crimes against animals; and

3.19 (8) maintain a registry of individuals who qualify as expert witnesses in animal cruelty
3.20 cases.

3.21 **Subd. 6. Coordination with other organizations.** In fulfilling the office's duties, the
3.22 office must collaborate with other state agencies that are responsible for investigating,
3.23 prosecuting, and adjudicating cases involving animal cruelty or welfare in the state, including
3.24 the Board of Animal Health, United States Department of Agriculture, Department of
3.25 Agriculture, Department of Natural Resources, Board of Veterinary Medicine, local and
3.26 state police officers and sheriffs, city and county attorneys, and humane agents as defined
3.27 under sections 343.01 to 343.12

3.28 **Subd. 7. Grants.** The office may make grants from money available in the Office of
3.29 Animal Protection account in the special revenue fund to assist Minnesota-based local
3.30 governments, veterinary clinics, and postsecondary institutions to support the activities and
3.31 purposes established under subdivision 4.

4.1 Subd. 8. **Reports.** (a) The office must report annually to the legislative committees with
 4.2 jurisdiction over animals on grants made under subdivision 7 in the previous calendar year.
 4.3 The report must include the amounts of the grants issued, the geographic distribution of the
 4.4 grants, and measurable outcomes including the number of education and outreach programs
 4.5 conducted and the number of animals served.

4.6 (b) On or before November 1 of each year, the office must publish and make available
 4.7 an annual report on the office's efforts to:

4.8 (1) protect the welfare of animals;

4.9 (2) enforce laws related to animal welfare and the prevention of animal cruelty;

4.10 (3) train professionals on preventing animal crimes;

4.11 (4) develop and maintain a statewide dangerous dog database; and

4.12 (5) investigate violations of the laws for dangerous dogs.

4.13 Subd. 9. **Money received from other sources; gifts.** The office may accept and use
 4.14 gifts, grants, or contributions from any source to support the office. The office may apply
 4.15 for and accept grants of money from the United States, the state, a subdivision of the state,
 4.16 a foundation, or a person for any of the office's purposes. Money received directly for the
 4.17 Office of Animal Protection must be deposited in the Office of Animal Protection account
 4.18 in the special revenue fund for use by the office.

4.19 Subd. 10. **Office of Animal Protection account; appropriation.** An Office of Animal
 4.20 Protection account is created in the special revenue fund. All fees and penalties collected
 4.21 by the office under this chapter, money received by the office as gifts or grants, or other
 4.22 private or public funds obtained for the purposes of this section must be deposited in the
 4.23 state treasury and credited to the Office of Animal Protection account in the special revenue
 4.24 fund. Money in the account, including interest on the account, is annually appropriated to
 4.25 the office for the purposes of this section.

4.26 Sec. 2. **APPROPRIATION; OFFICE OF ANIMAL PROTECTION.**

4.27 \$..... in fiscal year 2024 and \$..... in fiscal year 2025 are appropriated from the general
 4.28 fund to the Office of Animal Protection for the purposes of carrying out the office's duties
 4.29 under section 299A.86.