

ANIMAL SHELTER AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Peter C. Knudson

House Sponsor: _____

LONG TITLE

General Description:

This bill enacts language related to euthanasia of an animal by an animal shelter.

Highlighted Provisions:

This bill:

- ▶ addresses the methods by which an animal shelter may euthanize an animal;
- ▶ requires an animal shelter to adopt a euthanasia policy and training program; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

11-46-103, as enacted by Laws of Utah 2011, Chapter 130

ENACTS:

11-46-401, Utah Code Annotated 1953

11-46-402, Utah Code Annotated 1953

11-46-403, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:



28 Section 1. Section **11-46-103** is amended to read:

29 **11-46-103. Stray animals.**

30 (1) Each municipal or county animal control officer shall hold any unidentified or
31 unclaimed stray animal in safe and humane custody for a minimum of five business days after
32 the time of impound and prior to making any final disposition of the animal.

33 (2) A record of each animal held shall be maintained. The record shall include:

34 (a) date of impound;

35 (b) date of disposition; and

36 (c) method of disposition, which may be:

37 (i) placement in an adoptive home or other transfer of the animal, which shall be in
38 compliance with Part 2, Animal Shelter Pet Sterilization Act;

39 (ii) return to its owner;

40 (iii) placement in a community cat program as defined in Section **11-46-302**; or

41 (iv) euthanasia in accordance with Part 4, Euthanasia of Shelter Animals.

42 (3) An unidentified or unclaimed stray animal may be euthanized prior to the
43 completion of the five working day minimum holding period to prevent unnecessary suffering
44 due to serious injury or disease, if the euthanasia is in compliance with:

45 (a) written agency or department policies and procedures~~[-, and with];~~

46 (b) any local ordinances allowing the euthanasia~~[-];~~ and

47 (c) Part 4, Euthanasia of Shelter Animals.

48 (4) An unidentified or unclaimed stray animal shall be returned to its owner upon:

49 (a) proof of ownership;

50 (b) compliance with requirements of local animal control ordinances; and

51 (c) compliance with Part 2, Animal Shelter Pet Sterilization Act.

52 Section 2. Section **11-46-401** is enacted to read:

53 **Part 4. Euthanasia of Shelter Animals**

54 **11-46-401. Title.**

55 This part is known as "Euthanasia of Shelter Animals."

56 Section 3. Section **11-46-402** is enacted to read:

57 **11-46-402. Euthanasia of shelter animals -- Prohibited and permitted methods.**

58 (1) Subject to Subsection (2) and except as provided in Subsection (3), an animal

59 shelter shall use sodium pentobarbital or a derivative as the exclusive method for euthanasia of
60 an animal.

61 (2) An animal shelter shall administer sodium pentobarbital or a derivative by:

62 (a) intravenous injection by hypodermic needle;

63 (b) intraperitoneal injection by hypodermic needle; or

64 (c) if an animal is unconscious, intracardial injection by hypodermic needle.

65 (3) (a) Subsection (1) does not apply to an animal that must be euthanized outside of
66 the animal shelter's place of business or facility by an animal control officer who:

67 (i) contracts with the animal shelter; and

68 (ii) must, subject to Subsection (3)(b), euthanize the animal in an emergency situation.

69 (b) If an animal control officer must euthanize an animal in an emergency situation, the
70 officer shall use the most humane method available.

71 (4) (a) Subject to Subsection (4)(b), an animal shelter may not use the following
72 methods for euthanasia of an animal:

73 (i) carbon monoxide, carbon dioxide, or other non-anesthetic inhalant;

74 (ii) a chamber that:

75 (A) causes a change in body oxygen by means of altering atmospheric pressure; or

76 (B) is connected to an internal combustion engine and uses the engine exhaust; or

77 (iii) any other method that is not permitted under Subsection (1).

78 (b) Subsection (4)(a) applies:

79 (i) for euthanasia of a domestic animal, on or after July 1, 2018; and

80 (ii) for euthanasia of a wild animal, on or after July 1, 2019.

81 Section 4. Section **11-46-403** is enacted to read:

82 **11-46-403. Animal shelter euthanasia training -- Documentation.**

83 (1) If an animal shelter euthanizes animals, the animal shelter shall:

84 (a) adopt a policy for euthanasia that mandates procedures that comply with the
85 applicable provisions of this part;

86 (b) adopt a euthanasia training program; and

87 (c) require each person who conducts or assists with euthanasia to attend the training
88 program biennially.

89 (2) A policy and training program described in Subsection (1) shall be reviewed and

90 approved by a veterinarian who is currently licensed in accordance with Title 58, Chapter 28,
91 Veterinary Practice Act.
92 (3) The animal shelter shall keep a record of training dates and who attended.

Legislative Review Note
Office of Legislative Research and General Counsel