

1 **ANIMAL SHELTER AMENDMENTS**

2 2017 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Peter C. Knudson**

5 House Sponsor: Lee B. Perry

---

---

7 **LONG TITLE**

8 **General Description:**

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

10 **Highlighted Provisions:**

11 This bill:

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

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **11-46-103**, as enacted by Laws of Utah 2011, Chapter 130

22 ENACTS:

23 **11-46-401**, Utah Code Annotated 1953

24 **11-46-402**, Utah Code Annotated 1953

25 **11-46-403**, Utah Code Annotated 1953

---

---

26 *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~~ may use sodium pentobarbital or a derivative as the exclusive method  
 59a for euthanasia of  
 60 an animal.

61 (2) An animal shelter ~~that uses sodium pentobarbital~~ shall administer  
 61a ~~the~~ 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~~ An animal shelter may ~~not~~  
 71a use the following

72 methods for euthanasia of an animal:

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

74 ~~(ii)~~ (b) a chamber that:

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

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

77 ~~(iii)~~ (c) any other method that is not ~~permitted~~ described under  
 77a 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**