

1 **ANIMAL SHELTER REVISIONS**

2 2023 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Michael K. McKell**

5 House Sponsor: Karianne Lisonbee

7 **LONG TITLE**

8 **General Description:**

9 This bill establishes requirements for animal shelters that euthanize animals.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ modifies definitions;
- 13 ▶ addresses the methods by which an animal shelter or animal control officer may
- 14 euthanize an animal;
- 15 ▶ requires an animal shelter that euthanizes animals to adopt a euthanasia policy and
- 16 training program; and
- 17 ▶ makes technical changes.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **11-46-102**, as enacted by Laws of Utah 2011, Chapter 130

25 **11-46-103**, as enacted by Laws of Utah 2011, Chapter 130

26 ENACTS:

27 **11-46-401**, Utah Code Annotated 1953

28 **11-46-402**, Utah Code Annotated 1953

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

31 Section 1. Section **11-46-102** is amended to read:

32 **11-46-102. Definitions.**

33 As used in this chapter:

34 (1) (a) "Animal" means a cat or dog.

35 (b) "Animal" does not include livestock, as that term is defined in Section [4-1-109](#).

36 (2) "Animal control officer" means any person employed or appointed by a county or a
37 municipality who is authorized to investigate violations of laws and ordinances concerning
38 animals, to issue citations in accordance with Utah law, and to take custody of animals as
39 appropriate in the enforcement of [~~the~~] laws and ordinances concerning animals.

40 (3) (a) "Animal shelter" means a facility or program[?] that provides services for stray,
41 lost, or unwanted animals, including holding and placing the animals for adoption.

42 [~~(a) providing services for stray, lost, or unwanted animals, including holding and~~
43 ~~placing the animals for adoption, but does not include an institution conducting research on~~
44 ~~animals, as defined in Section [26-26-1](#), or]~~

45 [~~(b) a private humane society or private animal welfare organization.]~~

46 (b) "Animal shelter" includes a private humane society or private animal welfare
47 organization.

48 (c) "Animal shelter" does not include an institution, as that term is defined in Section
49 [26-26-1](#), that is conducting research on animals.

50 (4) "Person" means an individual, an entity, or a representative of an entity.

51 Section 2. Section **11-46-103** is amended to read:

52 **11-46-103. Stray animals.**

53 (1) Each municipal or county animal control officer shall hold or cause to be held at an
54 animal shelter any unidentified or unclaimed stray animal in safe and humane custody for a
55 minimum of five business days after the time of impound and prior to making any final
56 disposition of the animal.

57 [~~(2) A record of each animal held shall be maintained. The record shall include:]~~

86 term is defined in this chapter.

87 (2) An animal shelter may euthanize an animal only by:

88 (a) intravenous injection by hypodermic needle;

89 (b) intraperitoneal injection by hypodermic needle; or

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

91 (3) (a) Subsection (1) does not apply to an animal control officer who, subject to

92 Subsection (3)(b), euthanizes an animal in an emergency situation outside of an animal shelter's

93 facility or place of business.

94 (b) If an animal control officer euthanizes an animal in an emergency situation, the

95 officer shall use, in the officer's judgment, the most humane method available to the officer.

96 Section 4. Section **11-46-402** is enacted to read:

97 **11-46-402. Animal shelter euthanasia training -- Documentation.**

98 (1) If an animal shelter performs euthanasia on animals, the animal shelter shall:

99 (a) adopt a policy for euthanasia that mandates procedures that comply with the

100 applicable provisions of this part;

101 (b) adopt a euthanasia training program; and

102 (c) require each person who conducts or assists with euthanasia on behalf of the animal

103 shelter to attend a euthanasia training program at least once every two years.

104 (2) An animal shelter described in Subsection (1) shall:

105 (a) ensure that the euthanasia training program is taught by a veterinarian who is

106 licensed in accordance with Title 58, Chapter 28, Veterinary Practice Act; and

107 (b) maintain a record of training dates and who attended.