

1 **ANIMAL SHELTER AMENDMENTS**

2 2010 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Jennifer M. Seelig**

5 **Senate Sponsor: Curtis S. Bramble**

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7 **LONG TITLE**

8 **General Description:**

9 This bill amends provisions of the Utah Code relating to an animal shelter providing an  
10 animal to be used for research or educational purposes.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ gives the governing body of a county or municipality the discretion to determine  
14 whether to make an impounded animal available to be used for research or  
15 educational purposes;
- 16 ▶ prohibits the provision of an animal for research or educational purposes unless:
- 17 • the animal has been legally impounded for at least five days or a longer period
  - 18 as provided by local ordinance;
  - 19 • the animal has not been claimed or redeemed; and
  - 20 • the animal shelter has made a reasonable effort to find the rightful owner of the
- 21 animal ~~H→ [or] and ←H~~ to make it available to others; ~~H→ and~~  
22 [~~—————when an animal is voluntarily surrendered to an animal shelter, prohibits the~~  
23 ~~provision of the animal for research or educational purposes if the owner signs a~~  
24 ~~document prohibiting that action; and] ←H~~

- 25 ▶ makes technical changes.

26 **Monies Appropriated in this Bill:**

27 None



28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **26-26-3**, as last amended by Laws of Utah 1989, Chapter 8033 

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34 *Be it enacted by the Legislature of the state of Utah:*35 Section 1. Section **26-26-3** is amended to read:36 **26-26-3. Minimum period of impoundment -- Efforts required to contact owner**  
37 **and to make animal available -- Prerogative of person voluntarily providing animal.**38 ~~[The]~~ (1) Subject to ~~Ĥ→~~ ~~[Subsections (2) and (4)]~~ Subsection (2) ~~←Ĥ~~, the governing body  
38a of the county or39 municipality in which an establishment is located ~~[shall]~~ may make available to an authorized  
40 institution as many impounded animals in that establishment as the institution may request[;  
41 ~~provided, however, that such animals shall have]~~].42 (2) Subject to Subsection (4), a governing body described in Subsection (1) may not  
43 make an impounded animal available to an institution, unless:44 (a) the animal has been legally impounded for the longer of:45 (i) at least five days [or for such other minimum period as may be specified by  
46 municipal ordinance, and remain unclaimed and unredeemed by their owners or by]; or47 (ii) the minimum period provided for by local ordinance;48 (b) the animal has not been claimed or redeemed by:49 (i) the animal's owner; or50 (ii) any other person entitled to [do so. ~~The establishment shall first make~~] claim or  
51 redeem the animal; and52 (c) the establishment has made a reasonable effort to:53 (i) find the rightful owner of [such] the animal ~~Ĥ→~~ [f] , [f] **including checking if the**  
53a **animal has a tag or microchip ←Ĥ** ; and54 (ii) if the owner is not found, [shall make a reasonable effort to] make the animal  
55 available to others during the impound period. ~~Ĥ→~~ [f] **Owners of animals who voluntarily**  
55a **provide**56 **their animals to an establishment may, by signature, determine whether or not the animal may**  
57 **be provided to an institution or used for research or educational purposes. [f]**58 ~~[(3) If the owner of an animal voluntarily provides the animal to an establishment, the~~

59 establishment shall:  
60 ~~—— (a) notify the owner that the owner may sign a document that prohibits the animal from~~  
61 ~~being:~~  
62 ~~—— (i) provided to an institution; or~~  
63 ~~—— (ii) used for research or educational purposes; and~~  
64 ~~—— (b) upon request, provide the document described in Subsection (3)(a) to the owner.~~  
65 ~~—— (4) An animal may not be provided to an institution or used for research or educational~~  
66 ~~purposes if permission for that provision or use is prohibited in accordance with Subsection~~  
67 ~~(3).] ←H~~

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Legislative Review Note  
as of 1-5-10 7:29 AM

Office of Legislative Research and General Counsel

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**H.B. 107 - Animal Shelter Amendments**

**Fiscal Note**

2010 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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