

2nd Sub. S.B. 57

ANIMAL CONTROL - EXCEPTION FOR COMMUNITY CATS

HOUSE FLOOR AMENDMENTS

AMENDMENT 2

MARCH 9, 2011 4:46 PM

Representative **Don L. Ipson** proposes the following amendments:

1. *Page 1, Lines 22 through 23:*

22 Other Special Clauses:

23 ~~{None}~~ **This bill coordinates with H.B. 273, Animal Control Amendments, by providing substantive and technical amendments.**

2. *Page 3, Line 60:*

60 17-42-101, as enacted by Laws of Utah 1998, Chapter 156

Utah Code Sections Affected by Coordination Clause:

11-46-102, Utah Code Annotated 1953

11-46-103, Utah Code Annotated 1953

11-46-302, Utah Code Annotated 1953

11-46-303, Utah Code Annotated 1953

3. *Page 11, Line 325:*

325 Section 17-42-101, Title.

Section 17. Coordinating S.B. 57 with H.B. 273 -- Substantive and technical amendments.

If this S.B. 57 and H.B. 273, Animal Control Amendments, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel prepare the Utah Code database for publication by:

(1) modifying Section 11-46-102 to read:

"11-46-102. Definitions.

As used in this chapter:

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

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

(3) "Animal shelter" means a facility or program:

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

(b) a private humane society or private animal welfare organization.

(4) "Community cat" means a feral or free-roaming cat that:

(a) is without visibly discernable or microchip owner identification of any kind; and

(b) is sterilized, vaccinated, and ear-tipped.

(5) "Community cat program" means a program pursuant to which feral cats are sterilized, vaccinated against rabies, ear-tipped, and returned to the location where they congregate with other cats.

(6) "Person" means an individual, an entity, or a representative of an entity.";

(2) modifying Subsection 11-46-103(1) to read:

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

(3) modifying Subsection 11-46-103(3) to read:

"(3) An unidentified or unclaimed stray animal may be euthanized prior to the completion of the five working day minimum holding period to prevent unnecessary suffering due to serious injury or disease, if the euthanasia is in compliance with written agency or department policies and procedures, and with any local ordinances allowing the euthanasia.";

(4) modifying Section 11-46-302 to read:

"11-46-302. Definitions.

In addition to the definitions in Sections 11-46-102 and 11-46-202, as used in this part:

(1) "Community cat caretaker" means any person other than an owner who provides food, water, or shelter to a community cat or community cat colony.

(2) "Community cat colony" means a group of cats that congregate together. Although not every cat in a colony may be a community cat, any cats owned by individuals that congregate with a colony are considered part of it.

(3) "Ear-tipping" means removing approximately a quarter-inch off the tip of a cat's left ear while the cat is anesthetized for sterilization.

(4) "Feral" has the same meaning as in Section 23-13-2.

(5) "Sponsor" means any person or organization that traps feral cats, sterilizes, vaccinates against rabies, and ear-tips them before returning them to the location where they were trapped. A sponsor may be any animal humane society, non-profit organization, animal rescue, adoption organization, or a designated community cat caretaker that also maintains written records on community cats."; and

(5) modifying Subsections 11-46-303(1) and (2) to read:

"(1) A cat received by a shelter under the provisions of Section 11-46-103 may be released prior to the five-day holding period to a sponsor that operates a community cat program.

(2) A community cat is:

(a) exempt from licensing requirements and feeding bans; and

(b) eligible for release from an animal shelter prior to the mandatory five-day hold period in Section 11-46-103."