

**ANIMAL SHELTER AMENDMENTS**

2013 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Angela Romero**

Senate Sponsor: Brian E. Shiozawa

Cosponsors: Larry B. Wiley

Jennifer M. Seelig

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**LONG TITLE**

**General Description:**

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

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ prohibits, with certain exceptions, an animal shelter from using carbon monoxide gas to euthanize an animal;
- ▶ authorizes an animal shelter to use certain methods to euthanize an animal;
- ▶ requires an animal shelter to adopt a euthanization policy and training program; and
- ▶ makes technical corrections.

**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



27 ENACTS:

28 **11-46-401**, Utah Code Annotated 1953

29 **11-46-402**, Utah Code Annotated 1953



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

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

33 **11-46-103. Stray animals.**

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

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

38 (a) date of impound;

39 (b) date of disposition; and

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

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

43 (ii) return to its owner;

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

45 (iv) euthanasia in accordance with Section 11-46-104.

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

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

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

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

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

53 (a) proof of ownership;

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

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

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

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

58 **11-46-401. Euthanasia of animals -- Prohibited and permitted methods.**

59 (1) An animal shelter may not euthanize an animal by means of carbon monoxide gas  
60 from any source unless another form of euthanasia, if used:

61 (a) would not be safe for a person performing the procedure; or

62 (b) would cause unacceptable levels of stress for the animal.

63 (2) (a) If it is necessary to euthanize an animal, and subject to the requirements of  
64 Section 11-46-103, an animal shelter shall, except as permitted under Subsection (1)(a) or (b),  
65 use a method that is approved for that purpose by the most current version of the American  
66 Veterinary Medical Association's Guidelines on euthanasia unless the method is a method  
67 described in Subsection (1).

68 (b) Subsection (2)(a) does not apply to an animal that must be euthanized outside of the  
69 animal shelter's place of business or facility by an animal control officer who:

70 (i) contracts with the animal shelter; and

71 (ii) must euthanize the animal in an emergency situation.

72 (3) (a) If an animal is euthanized under Subsection (1)(a) or (b) in a carbon monoxide  
73 chamber, and except as provided in Subsection (3)(b), the animal shelter may not euthanize  
74 more than one animal at a time in the carbon monoxide chamber.

75 (b) An animal shelter may euthanize more than one animal at a time in a carbon  
76 monoxide chamber only if:

77 (i) the carbon monoxide chamber has multiple compartments or chambers designed to  
78 hold one animal per compartment or chamber; and

79 (ii) no more than one animal is placed in each compartment or chamber.

80 (c) If an animal shelter is authorized to use a carbon monoxide chamber under this  
81 section, the animal shelter shall:

82 (i) use carbon monoxide that is commercially compressed; and

83 (ii) adopt safety guidelines for the use of carbon monoxide.

84 (4) An animal shelter may tranquilize an animal with a substance approved by the Food  
85 and Drug Administration for that purpose before commencing euthanasia.

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

87 **11-46-402. Animal shelter euthanization training -- Documentation.**

88 (1) If, in accordance with Section 11-46-103 and this part, an animal shelter euthanizes

89 animals received in the shelter, the animal shelter shall:

90 (a) adopt a policy for euthanization that mandates procedures that comply with the  
91 applicable provisions of this part;

92 (b) adopt a euthanization training program; and

93 (c) require each person who conducts or assists with a euthanization to attend the  
94 training program annually.

95 (2) A policy and training program required in Subsection (1) shall be reviewed and  
96 approved by a veterinarian who is currently licensed in accordance with Title 58, Chapter 28,  
97 Veterinary Practice Act.

98 (3) The animal shelter shall keep a record of the date training was provided and who  
99 attended.

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**Legislative Review Note**  
**as of 1-10-13 9:33 AM**

**Office of Legislative Research and General Counsel**