

ANIMAL SHELTER AMENDMENTS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Angela Romero

Senate Sponsor: Brian E. Shiozawa

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

- ▶ authorizes an animal shelter to euthanize an animal by means of carbon monoxide gas only in certain circumstances;
- ▶ authorizes an animal shelter to use other certain methods to euthanize an animal;
- ▶ requires an animal shelter to adopt a euthanasia policy and training program; and
- ▶ makes technical and conforming 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

ENACTS:

11-46-401, Utah Code Annotated 1953

11-46-402, Utah Code Annotated 1953



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

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

30 **11-46-103. Stray animals.**

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

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

35 (a) date of impound;

36 (b) date of disposition; and

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

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

40 (ii) return to its owner;

41 (iii) placement in a community cat program as defined in Section [11-46-302](#); or

42 (iv) euthanasia in accordance with Part 4, Euthanasia of Shelter Animals.

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

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

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

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

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

50 (a) proof of ownership;

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

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

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

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

55 **11-46-401. Euthanasia of animals -- Prohibited and permitted methods.**

56 (1) An animal shelter may only euthanize an animal by means of carbon monoxide gas
57 if using another method of euthanasia:

58 (a) is unsafe for a person performing the procedure; or

59 (b) causes unacceptable levels of stress for the animal.

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

65 (b) Subsection (2)(a) does not apply to an animal that must be euthanized outside of the
66 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 euthanize the animal in an emergency situation.

69 (3) (a) If an animal is euthanized under Subsection (1)(a) or (b) in a carbon monoxide
70 chamber, the animal shelter may not euthanize more than one animal at a time in the carbon
71 monoxide chamber unless:

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

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

75 (b) If an animal shelter is authorized to use a carbon monoxide chamber under this
76 section, the animal shelter shall:

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

78 (ii) adopt safety guidelines for the use of carbon monoxide that are consistent with the
79 most current version of the American Veterinary Medical Association's guidelines.

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

81 **11-46-402. Animal shelter euthanasia training -- Documentation.**

82 (1) If an animal shelter euthanizes animals, the animal shelter shall:

83 (a) adopt a policy for euthanasia that mandates procedures that comply with the
84 applicable provisions of this part;

85 (b) adopt a euthanasia training program; and

86 (c) require each person who conducts or assists with euthanasia to attend the training
87 program biennially.

88 (2) A policy and training program required in Subsection (1) shall be reviewed and
89 approved by a veterinarian who is currently licensed in accordance with Title 58, Chapter 28,

90 Veterinary Practice Act.

91 (3) The animal shelter shall keep a record of training dates and who attended.

Legislative Review Note
as of 1-14-14 11:30 AM

Office of Legislative Research and General Counsel