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1	ANIMAL SHELTER REVISIONS
2	2023 GENERAL SESSION
3	STATE OF UTAH
4	Chief Sponsor: Michael K. McKell
5	House Sponsor: Karianne Lisonbee
6	
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
29	

S.B. 108

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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 <u>concerning animals</u> .
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:]

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58	(2) An animal shelter shall ensure that a record of each held animal is maintained that
59	includes the:
60	(a) date of impound;
61	(b) date of disposition; and
62	(c) method of disposition, which may be:
63	(i) placement in an adoptive home or other transfer of the animal, which shall be in
64	[compliance] accordance with Part 2, Animal Shelter Pet Sterilization Act;
65	(ii) return to [its] the animal's owner;
66	(iii) placement in a community cat program as defined in Section 11-46-302; or
67	(iv) euthanasia in accordance with Part 4, Euthanasia of Shelter Animals.
68	(3) An unidentified or unclaimed stray animal may be euthanized [prior to] before the
69	completion of the five working day minimum holding period to prevent unnecessary suffering
70	due to serious injury or disease[,] if the euthanasia [is in compliance] complies with:
71	(a) written agency or department policies and procedures[, and with];
72	(b) [any] local ordinances [allowing the euthanasia.]; and
73	(c) Part 4, Euthanasia of Shelter Animals.
74	(4) An unidentified or unclaimed stray animal shall be returned to [its] the animal's
75	owner upon:
76	(a) <u>the establishment of proof of ownership;</u>
77	(b) compliance with the requirements of [local animal control] applicable local
78	ordinances; and
79	(c) compliance with Part 2, Animal Shelter Pet Sterilization Act.
80	Section 3. Section 11-46-401 is enacted to read:
81	Part 4. Euthanasia of Shelter Animals
82	<u>11-46-401.</u> Euthanasia of shelter animals Permitted methods.
83	(1) Subject to Subsection (2), and except as provided in Subsection (3), on or after
84	October 1, 2023, an animal shelter may euthanize an animal only by administering a drug that
85	the U.S. Food and Drug Administration has approved for the euthanasia of an animal, as that

S.B. 108

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	<u>11-46-402.</u> Animal shelter euthanasia training Documentation.
97 98	<u>11-46-402.</u> Animal shelter euthanasia training Documentation. (1) If an animal shelter performs euthanasia on animals, the animal shelter shall:
98	(1) If an animal shelter performs euthanasia on animals, the animal shelter shall:
98 99	 (1) If an animal shelter performs euthanasia on animals, the animal shelter shall: (a) adopt a policy for euthanasia that mandates procedures that comply with the
98 99 100	 (1) If an animal shelter performs euthanasia on animals, the animal shelter shall: (a) adopt a policy for euthanasia that mandates procedures that comply with the applicable provisions of this part;
98 99 100 101	 (1) If an animal shelter performs euthanasia on animals, the animal shelter shall: (a) adopt a policy for euthanasia that mandates procedures that comply with the applicable provisions of this part; (b) adopt a euthanasia training program; and
98 99 100 101 102	 (1) If an animal shelter performs euthanasia on animals, the animal shelter shall: (a) adopt a policy for euthanasia that mandates procedures that comply with the applicable provisions of this part; (b) adopt a euthanasia training program; and (c) require each person who conducts or assists with euthanasia on behalf of the animal
98 99 100 101 102 103	 (1) If an animal shelter performs euthanasia on animals, the animal shelter shall: (a) adopt a policy for euthanasia that mandates procedures that comply with the applicable provisions of this part; (b) adopt a euthanasia training program; and (c) require each person who conducts or assists with euthanasia on behalf of the animal shelter to attend a euthanasia training program at least once every two years.
98 99 100 101 102 103 104	 (1) If an animal shelter performs euthanasia on animals, the animal shelter shall: (a) adopt a policy for euthanasia that mandates procedures that comply with the applicable provisions of this part; (b) adopt a euthanasia training program; and (c) require each person who conducts or assists with euthanasia on behalf of the animal shelter to attend a euthanasia training program at least once every two years. (2) An animal shelter described in Subsection (1) shall: