

1 ANIMAL SHELTER AMENDMENTS

2 2010 GENERAL SESSION

3 STATE OF UTAH

4 Chief Sponsor: Jennifer M. Seelig

5 Senate Sponsor: Curtis S. Bramble

6 Cosponsors: Susan Duckworth Neil A. Hansen  
7 Jackie Biskupski James R. Gowans

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8  
9 LONG TITLE

10 General Description:

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

13 Highlighted Provisions:

14 This bill:

- 15 ▶ gives the governing body of a county or municipality the discretion to determine  
16 whether to make an impounded animal available to be used for research or  
17 educational purposes;
- 18 ▶ prohibits the provision of an animal for research or educational purposes unless:
  - 19 • the animal has been legally impounded for at least five days or a longer period  
20 as provided by local ordinance;
  - 21 • the animal has not been claimed or redeemed; and
  - 22 • the animal shelter has made a reasonable effort to find the rightful owner of the  
23 animal and to make it available to others; and
- 24 ▶ makes technical changes.

25 Monies Appropriated in this Bill:

26 None

27 Other Special Clauses:

28 None

29 Utah Code Sections Affected:

30 AMENDS:

31 **26-26-3**, as last amended by Laws of Utah 1989, Chapter 80



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

34 Section 1. Section **26-26-3** is amended to read:

35 **26-26-3. Minimum period of impoundment -- Efforts required to contact owner**  
36 **and to make animal available -- Prerogative of person voluntarily providing animal.**

37 ~~[The]~~ (1) Subject to Subsection (2), the governing body of the county or municipality  
38 in which an establishment is located ~~shall~~ may make available to an authorized institution as  
39 many impounded animals in that establishment as the institution may request~~;~~ ~~provided,~~  
40 however, that such animals shall have].

41 (2) A governing body described in Subsection (1) may not make an impounded animal  
42 available to an institution, unless:

43 (a) the animal has been legally impounded for the longer of:

44 (i) at least five days ~~[or for such other minimum period as may be specified by~~  
45 municipal ordinance, and remain unclaimed and unredeemed by their owners or by]; or

46 (ii) the minimum period provided for by local ordinance;

47 (b) the animal has not been claimed or redeemed by:

48 (i) the animal's owner; or

49 (ii) any other person entitled to ~~[do so. The establishment shall first make]~~ claim or  
50 redeem the animal; and

51 (c) the establishment has made a reasonable effort to:

52 (i) find the rightful owner of ~~[such]~~ the animal, including checking if the animal has a  
53 tag or microchip; and

54 (ii) if the owner is not found, ~~[shall make a reasonable effort to]~~ make the animal  
55 available to others during the impound period. Owners of animals who voluntarily 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.

