

**ANIMAL SHELTER AMENDMENTS**

2010 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jennifer M. Seelig**

Senate Sponsor: Curtis S. Bramble

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**LONG TITLE**

**General Description:**

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

**Highlighted Provisions:**

This bill:

- ▶ gives the governing body of a county or municipality the discretion to determine whether to make an impounded animal available to be used for research or educational purposes;
- ▶ prohibits the provision of an animal for research or educational purposes unless:
  - the animal has been legally impounded for at least five days or a longer period as provided by local ordinance;
  - the animal has not been claimed or redeemed; and
  - the animal shelter has made a reasonable effort to find the rightful owner of the animal or to make it available to others;
- ▶ when an animal is voluntarily surrendered to an animal shelter, prohibits the provision of the animal for research or educational purposes if the owner signs a document prohibiting that action; and
- ▶ makes technical changes.

**Monies Appropriated in this Bill:**

None



28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **26-26-3**, as last amended by Laws of Utah 1989, Chapter 80



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

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

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

38 ~~[The]~~ (1) Subject to Subsections (2) and (4), the governing body of the county or  
39 municipality in which an establishment is located ~~[shall]~~ may make available to an authorized  
40 institution as many impounded animals in that establishment as the institution may request[;  
41 ~~provided, however, that such animals shall have]~~].

42 (2) Subject to Subsection (4), a governing body described in Subsection (1) may not  
43 make an impounded animal available to an institution, unless:

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

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

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

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

49 (i) the animal's owner; or

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

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

53 (i) find the rightful owner of [such] the animal[-]; 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.]

58 (3) If the owner of an animal voluntarily provides the animal to an establishment, the

59 establishment shall:

60 (a) notify the owner that the owner may sign a document that prohibits the animal from

61 being:

62 (i) provided to an institution; or

63 (ii) used for research or educational purposes; and

64 (b) upon request, provide the document described in Subsection (3)(a) to the owner.

65 (4) An animal may not be provided to an institution or used for research or educational

66 purposes if permission for that provision or use is prohibited in accordance with Subsection

67 (3).

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**Legislative Review Note**

as of 1-5-10 7:29 AM

**Office of Legislative Research and General Counsel**

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**H.B. 107 - Animal Shelter Amendments**

**Fiscal Note**

2010 General Session  
State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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