

Representative Jennifer M. Seelig proposes the following substitute bill:

ANIMAL CONTROL AMENDMENTS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jennifer M. Seelig

Senate Sponsor: Dennis E. Stowell

LONG TITLE

General Description:

This bill requires with certain exceptions that a municipal or county animal control officer hold any unidentified or unclaimed stray dog or stray cat for a minimum of five working days.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires with certain exceptions that a municipal or county animal control officer hold any unidentified or unclaimed stray dog or stray cat for a minimum of five working days; and
- ▶ makes technical corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

77-24-1.5, as last amended by Laws of Utah 2005, Chapter 126



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

Section 1. Section **77-24-1.5** is amended to read:

77-24-1.5. Safekeeping by officer pending disposition -- Records required -- Stray animals.

(1) As used in this section:

(a) "Community cat" means a feral or free-roaming cat that:

(i) is without visibly discernable or microchip owner identification of any kind; and

(ii) is sterilized, vaccinated, and ear-tipped.

(b) "Community cat management program" means a program in which a community cat is sterilized, vaccinated, eartipped, and returned to the location where it congregates with other cats.

~~(1)~~ (2) Each peace officer shall:

(a) hold all property in safe custody:

(i) until it is received into evidence; or

(ii) if it is not used as evidence, until it can be disposed of as provided in this chapter;

and

(b) maintain a proper record of the property that identifies:

(i) the owner of the property, if known; and

(ii) the case for which it was taken or received and is being held.

~~(2)~~ (3) (a) ~~[Each]~~ Except as provided in Subsection (3)(d), each municipal or county animal control officer shall hold any unidentified or unclaimed stray dog or stray cat in safe and humane custody for a minimum of ~~[three]~~ five working days after the time of impound prior to making any final disposition of the animal, including:

(i) placement in an adoptive home or other transfer of the animal, which shall be in compliance with Title 10, Chapter 17, Municipal Animal Shelter Pet Sterilization Act, or Title 17, Chapter 42, County Animal Shelter Pet Sterilization Act; or

(ii) euthanasia.

(b) An unidentified or unclaimed stray dog or stray cat may be euthanized prior to the completion of the ~~[three]~~ five working day minimum holding period to prevent unnecessary suffering due to serious injury or disease, if the euthanasia is in compliance with written

57 established agency or department policies and procedures, and with any local ordinances
58 allowing the destruction.

59 (c) An unidentified or unclaimed stray dog or stray cat shall be returned to its owner
60 upon:

61 (i) proof of ownership;

62 (ii) compliance with requirements of local animal control ordinances; and

63 (iii) compliance with Title 10, Chapter 17, Municipal Animal Shelter Pet Sterilization
64 Act, or Title 17, Chapter 42, County Animal Shelter Pet Sterilization Act.

65 (d) A municipal or county animal control officer may release a community cat that is
66 part of a community cat management program before the five working day period described in
67 Subsection (3)(a).

FISCAL NOTE

H.B. 273 1st Sub. (Buff)

SHORT TITLE: **Animal Control Amendments**

SPONSOR: **Seelig, J.**

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Costs or savings will vary in each county or city.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.