

ANIMAL WELFARE ACT AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brian S. King

Senate Sponsor: _____

LONG TITLE

General Description:

This bill requires an animal shelter to publish certain information regarding animals in the shelter's custody.

Highlighted Provisions:

This bill:

- ▶ amends definitions; and
- ▶ requires an animal shelter to:
 - publish certain information regarding the animals in the shelter's custody, including the disposition of the animals; and
 - maintain the published information for a period of years.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

11-46-102, as enacted by Laws of Utah 2011, Chapter 130

ENACTS:

11-46-104, Utah Code Annotated 1953



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

29 Section 1. Section **11-46-102** is amended to read:

30 **11-46-102. Definitions.**

31 As used in this chapter:

32 (1) "Animal" means a cat or dog.

33 (2) "Animal control officer" means any person employed or appointed by a county or a
34 municipality who is authorized to investigate violations of laws and ordinances concerning
35 animals, to issue citations in accordance with Utah law, and take custody of animals as
36 appropriate in the enforcement of the laws and ordinances.

37 (3) "Animal shelter" means a public or private facility or program:

38 (a) providing services for stray, lost, or unwanted animals, including holding and
39 placing the animals for adoption, but does not include an institution conducting research on
40 animals, as defined in Section [26-26-1](#); or

41 (b) a private humane society or private animal welfare organization.

42 (4) "Person" means an individual, an entity, or a representative of an entity.

43 Section 2. Section **11-46-104** is enacted to read:

44 **11-46-104. Publicly available data.**

45 (1) Once per calendar month, an animal shelter shall publish for public inspection the
46 following information:

47 (a) the total number of live animals that the animal shelter took into the shelter's
48 custody during the preceding month;

49 (b) a description of how the animal shelter obtained each animal described in

50 Subsection (1)(a), including whether the animal was:

51 (i) surrendered by the animal's owner;

52 (ii) impounded as a stray or at-large animal;

53 (iii) confiscated;

54 (iv) transferred to the animal shelter from a location in the state;

55 (v) transferred to the animal shelter from a location outside the state;

56 (vi) born in the animal shelter or under the care of the animal shelter; or

57 (vii) surrendered by the animal's owner for euthanasia;

58 (c) the total number of live animals the animal shelter had in the shelter's custody on

59 the last day of the preceding month; and
60 (d) the disposition of each animal that left the custody of the animal shelter during the
61 preceding month, including whether:
62 (i) an individual adopted the animal;
63 (ii) the animal's owner reclaimed the animal;
64 (iii) the animal died in the animal shelter or under the care of the shelter;
65 (iv) the animal shelter transferred the animal;
66 (v) the animal shelter euthanized the animal on the shelter's own decision, including
67 the method of euthanasia;
68 (vi) the animal shelter euthanized the animal at the owner's request;
69 (vii) the animal shelter returned the animal to the field as part of a sterilization
70 program; or
71 (viii) the animal was lost or stolen while in the shelter's care.
72 (2) An animal shelter shall categorize the information described in Subsection (1):
73 (a) by age as "up to five months" or "adult"; and
74 (b) by species as "cats," "dogs," and "other."
75 (3) (a) An animal shelter shall publish the information described in Subsection (1):
76 (i) if the animal shelter maintains a publicly available website, on the website; or
77 (ii) if the animal shelter does not maintain a publicly available website, in another form
78 that allows the public to access and copy the information.
79 (b) An animal shelter shall maintain each month's set of information in the form
80 described in Subsection (3)(a) for at least three years after the day on which the shelter first
81 publishes the information.