

ANIMAL SHELTER REVISIONS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: David P. Hinkins

House Sponsor: Ryan D. Wilcox

LONG TITLE

General Description:

This bill enacts language related to euthanasia of an animal by an animal shelter or animal control officer.

Highlighted Provisions:

This bill:

- ▶ addresses the methods by which an animal shelter or animal control officer may euthanize an animal;
- ▶ requires an animal shelter to adopt a euthanasia policy and training program; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

11-46-103, as enacted by Laws of Utah 2011, Chapter 130

ENACTS:

11-46-401, Utah Code Annotated 1953

11-46-402, Utah Code Annotated 1953



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

29 Section 1. Section **11-46-103** is amended to read:

30 **11-46-103. Stray animals.**

31 (1) Each municipal or county animal control officer shall hold any unidentified or
32 unclaimed stray animal in safe and humane custody for a minimum of five business days after
33 the time of impound and prior to making any final disposition of the animal.

34 (2) A record of each animal held shall be maintained. The record shall include:

35 (a) date of impound;

36 (b) date of disposition; and

37 (c) method of disposition, which may be:

38 (i) placement in an adoptive home or other transfer of the animal, which shall be in
39 compliance with Part 2, Animal Shelter Pet Sterilization Act;

40 (ii) return to its owner;

41 (iii) placement in a community cat program as defined in Section [11-46-302](#); or

42 (iv) euthanasia in accordance with Part 4, Euthanasia of Shelter Animals.

43 (3) An unidentified or unclaimed stray animal may be euthanized [~~prior to~~] before the
44 completion of the five working day minimum holding period to prevent unnecessary suffering
45 due to serious injury or disease, if the euthanasia is in compliance with:

46 (a) written agency or department policies and procedures~~[, and with]~~;

47 (b) any local ordinances allowing the euthanasia~~[:]~~; and

48 (c) Part 4, Euthanasia of Shelter Animals.

49 (4) An unidentified or unclaimed stray animal shall be returned to its owner upon:

50 (a) proof of ownership;

51 (b) compliance with requirements of local animal control ordinances; and

52 (c) compliance with Part 2, Animal Shelter Pet Sterilization Act.

53 Section 2. Section **11-46-401** is enacted to read:

54 **Part 4. Euthanasia of Shelter Animals**

55 **11-46-401. Euthanasia of shelter animals -- Permitted methods.**

56 (1) Subject to Subsection (2) and except as provided in Subsection (3), an animal
57 shelter shall use sodium pentobarbital or a derivative as the exclusive method for euthanasia of
58 an animal.

- 59 (2) An animal shelter shall administer sodium pentobarbital or a derivative by:
- 60 (a) intravenous injection by hypodermic needle;
- 61 (b) intraperitoneal injection by hypodermic needle; or
- 62 (c) if an animal is unconscious, intracardial injection by hypodermic needle.
- 63 (3) (a) Subsection (1) does not apply to an animal that must be euthanized outside of
- 64 the animal shelter's place of business or facility by an animal control officer who:
- 65 (i) contracts with the animal shelter; and
- 66 (ii) must, subject to Subsection (3)(b), euthanize the animal in an emergency situation.
- 67 (b) If an animal control officer must euthanize an animal in an emergency situation, the
- 68 officer shall use the most humane method available.
- 69 (4) Subsection (1) applies:
- 70 (a) for euthanasia of a domestic animal, on or after July 1, 2021; and
- 71 (b) for euthanasia of a wild animal, on or after July 1, 2022.
- 72 Section 3. Section **11-46-402** is enacted to read:
- 73 **11-46-402. Animal shelter euthanasia training -- Documentation.**
- 74 (1) If an animal shelter euthanizes animals, the animal shelter shall:
- 75 (a) adopt a policy for euthanasia that mandates procedures that comply with the
- 76 applicable provisions of this part;
- 77 (b) adopt a euthanasia training program; and
- 78 (c) require each person who conducts or assists with euthanasia to attend the training
- 79 program biennially.
- 80 (2) A policy and training program described in Subsection (1) shall be reviewed and
- 81 approved by a veterinarian who is licensed in accordance with Title 58, Chapter 28, Veterinary
- 82 Practice Act.
- 83 (3) The animal shelter shall maintain a record of training dates and who attended.