

FERAL CAT AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ken Ivory

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions regarding stray animals and community cats.

Highlighted Provisions:

This bill:

- ▶ authorizes a municipal or county animal control officer to refuse to release a stray animal that is determined to be carrying a disease or to be a threat to the health, safety, or welfare of persons, property, or other domesticated animals; and
- ▶ requires community cat caretakers or sponsors to feed community cats only during daylight hours.

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

11-46-303, as enacted by Laws of Utah 2011, Chapter 130

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

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



28 **11-46-103. Stray animals.**

29 (1) ~~[Each]~~ Except as provided in Subsection (2), a municipal or county animal control
30 officer shall hold any unidentified or unclaimed stray animal in safe and humane custody for a
31 minimum of five business days after the time of impound and prior to making any final
32 disposition of the animal.

33 (2) A municipal or county animal control officer may refuse to release a stray animal if
34 the animal control officer determines that the animal is:

35 (a) carrying a disease; or

36 (b) a threat to the health, safety, or welfare of persons, property, or other domesticated
37 animals.

38 ~~[(2)]~~ (3) A record of each animal held shall be maintained. The record shall include:

39 (a) date of impound;

40 (b) date of disposition; and

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

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

44 (ii) return to its owner;

45 (iii) placement in a community cat program as defined in Section 11-46-302; or

46 (iv) euthanasia.

47 ~~[(3)]~~ (4) An unidentified or unclaimed stray animal may be euthanized prior to the
48 completion of the five working day minimum holding period to prevent unnecessary suffering
49 due to serious injury or disease, if the euthanasia is in compliance with written agency or
50 department policies and procedures, and with any local ordinances allowing the euthanasia.

51 ~~[(4)]~~ (5) An unidentified or unclaimed stray animal shall be returned to its owner upon:

52 (a) proof of ownership;

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

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

55 Section 2. Section 11-46-303 is amended to read:

56 **11-46-303. Community cats.**

57 (1) A cat received by a shelter under the provisions of Section 11-46-103 may be
58 released prior to the five-day holding period to a sponsor that operates a community cat

59 program.

60 (2) A community cat is:

61 (a) exempt from licensing requirements and feeding bans; and

62 (b) eligible for release from an animal shelter prior to the mandatory five-day hold

63 period in Section 11-46-103.

64 [~~(3) Community cat sponsors or caretakers do not have]~~

65 (3) (a) Neither a community cat caretaker nor a sponsor has custody, as defined in

66 Section 76-9-301, of any cat in a community cat colony.

67 (b) Cats in a colony that are obviously owned, as evidenced by a collar, tags,

68 microchip, or other discernable owner identification, are not exempt from the provisions of

69 Title 76, Chapter 9, Part 3, Cruelty to Animals.

70 (4) Sterilization and vaccination records shall be maintained for a minimum of three

71 years and be available to an animal control officer upon request.

72 (5) A community cat caretaker or a sponsor may only feed community cats during

73 daylight hours ~~↔~~ **, unless the community cat caretaker is acting under a local health**

73a **department's trap-neuter-return or similar program** ~~↔~~ .