

1 needless tragedy that must be brought to an end;

2 (3) No animal should be killed if the animal can be placed in
3 a suitable home; if a private sheltering agency, rescue group or
4 organization formed for the prevention of cruelty to animals is
5 willing to take care and custody of the animal; or, in the case of
6 feral cats, if they can be sterilized and released to their
7 habitats;

8 (4) Animals held in shelters deserve proper care and humane
9 treatment including prompt veterinary care, adequate nutrition,
10 shelter, exercise, environmental enrichment and water;

11 (5) Shelters have a duty to make all savable animals available
12 for adoption for a reasonable period of time;

13 (6) Owners of lost animals should have a reasonable period of
14 time within which to redeem their animals;

15 (7) Shelters should not kill savable animals at the request of
16 their owners;

17 (8) All efforts should be made to encourage the voluntary
18 spaying and neutering of animals;

19 (9) Government is obligated to taxpayers and community members
20 to spend tax moneys on programs and services whose purpose is to
21 save and enhance the lives of animals;

22 (10) When animals are killed, it should be done as humanely
23 and compassionately as possible;

1 (11) Taxpayers and community members deserve full and complete
2 disclosure about how animal shelters operate;

3 (12) Citizens have a right to ensure that agencies follow the
4 law;

5 (13) Saving the lives of animals, identifying and eliminating
6 animal neglect and abuse and protecting public safety are
7 compatible interests; and

8 (14) Policies that undermine the public's trust in animal
9 shelters should be eliminated.

10 (b) All public and private sheltering agencies that operate
11 within the state shall:

12 (1) Commit themselves to ending the killing of savable animals
13 in their care and custody;

14 (2) Work with other animal adoption organizations to the
15 fullest extent to promote the adoption of animals and to reduce the
16 rate of killing;

17 (3) Provide every animal in their custody with individual
18 consideration and care regardless of how many animals they take in
19 or whether such animals are healthy, unweaned, elderly, sick,
20 injured, traumatized, feral, aggressive or of a particular breed;
21 and

22 (4) Not ban, bar, limit or otherwise obstruct the adoption of
23 an animal based on arbitrary criteria such as breed, age, color or

1 other criteria except as to the individual animal's medical
2 condition or aggression or the adopter's fitness to adopt.

3 (c) All public sheltering agencies that operate within the
4 state shall:

5 (1) Be open to the public for adoption seven days per week;

6 (2) Implement programs to save lives including:

7 (A) Free and low-cost spay/neuter services for animals,
8 including feral cats;

9 (B) A foster-care network for animals needing special care
10 including unweaned, traumatized, sick and injured animals;

11 (C) Comprehensive adoption programs that operate during
12 weekend and evening hours and include adoption venues other than
13 the shelter;

14 (D) Medical and behavioral rehabilitation programs;

15 (E) Pet-retention programs to solve medical, environmental and
16 behavioral problems and keep animals with their caring and
17 responsible owners; and

18 (F) Volunteer programs to help socialize animals, promote
19 adoptions, and assist in the operations of the shelter.

20 (d) Ending the killing of savable animals will occur when all
21 public and private sheltering agencies and rescue groups work
22 together to achieve this goal. Therefore, private sheltering
23 agencies and rescue groups will:

1 (1) Be open to the public during hours that permit working
2 people to adopt animals during nonworking hours;

3 (2) Implement programs to save lives including:

4 (A) Free and low-cost spay/neuter services for animals,
5 including feral cats;

6 (B) A foster-care network for animals needing special care,
7 including unweaned, traumatized, sick and injured animals;

8 (C) Comprehensive adoption programs that operate during
9 weekend and evening hours and include adoption venues other than
10 the shelter;

11 (D) Medical and behavioral rehabilitation programs;

12 (E) Pet-retention programs to solve medical, environmental,
13 and behavioral problems and keep animals with their caring and
14 responsible owners; and

15 (F) Volunteer programs to help socialize animals, promote
16 adoptions and assist in the operations of the shelter.

17 (e) For purposes of this section, the following definitions
18 apply:

19 (1) "Public Sheltering Agency" is a public animal control
20 shelter or private shelter, society for the prevention of cruelty
21 to animals, humane society or animal adoption group that receives
22 city funding or has a contract with the city under which it accepts
23 stray or owner-relinquished animals.

1 (2) "Private Sheltering Agency" is a shelter, society for the
2 prevention of cruelty to animals, humane society or animal adoption
3 group which is designated as a nonprofit under Section 501(c)(3) of
4 the Internal Revenue Code, and:

5 (A) Does not receive city funding or have a contract with the
6 city under which it accepts stray or owner-relinquished animals;

7 (B) Accepts animals into a physical facility other than a
8 private residence; and,

9 (C) Places into new homes stray or owner-relinquished animals
10 or animals who have been removed from a public or private
11 sheltering agency.

12 (3) "Rescue Group" is an organization designated as a
13 nonprofit under Section 501(c)(3) of the Internal Revenue Code
14 whose primary stated purpose is animal adoption, animal rescue or
15 formed for the prevention of cruelty to animals.

16 (4) "Animal" is any domestic nonhuman living creature normally
17 kept as a pet or a feral cat.

18 (5) "Impounded animal" is any animal who enters a public or
19 private sheltering agency or rescue group regardless of whether the
20 animal is a stray, owner-relinquished, seized, taken into
21 protective custody, transferred from another private or public
22 sheltering agency or is an animal whose owner requests that the
23 animal be killed except for any animal presented to a medical

1 clinic associated with such agencies for purposes of preventative
2 or rehabilitative medical care, or sterilization.

3 (6) "Stray animal" is any animal who is impounded without a
4 known owner present at impound who is voluntarily relinquishing
5 custody.

6 (7) "Savable animal" is any animal who is either healthy or
7 treatable and is not a vicious or dangerous dog.

8 (8) "Healthy animal" is any animal who is not sick or injured.

9 (9) "Treatable animal" is any animal who is sick or injured,
10 whose prognosis for rehabilitation of that illness or injury is
11 excellent, good, fair or guarded as determined by a veterinarian
12 licensed to practice in this state.

13 (10) "Nonrehabilitable animal" is any animal with severe
14 illness or injury whose prognosis for rehabilitation is either poor
15 or grave as determined by a veterinarian licensed to practice in
16 this state.

17 (11) "Irremediably suffering animal" is any animal with a
18 medical condition who has a poor or grave prognosis for being able
19 to live without severe, unremitting pain as determined by a
20 veterinarian licensed to practice in this state.

21 (12) "Feral cat" is a cat who is free-roaming, unsocialized to
22 humans and unowned.

23 (13) "Feral cat caregiver" is someone who cares for feral cats

1 and has an interest in protecting the cats but is not the owner of
2 those cats.

3 (14) "Unweaned animal" is any neonatal animal who, in the
4 absence of his/her mother, requires supplemental bottle feeding by
5 humans in order to survive. In the case of puppies and kittens,
6 unweaned animals are animals who fit the above description and are
7 from zero to four weeks of age.

8 (15) "Litter of animals" includes two or more animals who are
9 under twelve weeks of age as determined by a veterinarian licensed
10 to practice medicine in this state or by a veterinary technician or
11 veterinary assistant working under the direction of a veterinarian
12 licensed to practice medicine in this state.

13 (16) "Vicious dog" is a dog who exhibits aggression to people
14 even when the dog is not hungry, in pain or frightened and whose
15 prognosis for rehabilitation of that aggression is poor or grave as
16 determined by a trained behaviorist who is an expert on canine
17 behavior.

18 (17) "Dangerous dog" is a dog adjudicated to be vicious by a
19 court of competent jurisdiction and where all appeals of that
20 judicial determination have been unsuccessful.

21 (f) Caretakers of feral cats are exempt from any provision of
22 law proscribing the feeding of stray animals, requiring permits for
23 the feeding of animals, requiring the confinement of cats or

1 limiting the number of animals a person can own, harbor or have
2 custody of, except as follows:

3 Nothing in this section limits the enforcement of a statute
4 having as its effect the prevention or punishment of animal neglect
5 or cruelty so long as such enforcement is based on the conditions
6 of animals and not based on the mere fact that a person is feeding
7 feral cats in a public or private location.

8 (g) In order to encourage spay/neuter of feral cats and to
9 protect cats, public or private sheltering agencies or rescue
10 groups may not lend, rent or otherwise provide traps to the public
11 to capture cats except to a person for the purpose of catching and
12 reclaiming that person's wayward cat, to capture injured or sick
13 cats or cats otherwise in danger, to capture feral kittens for
14 purposes of taming and adoption or, in the case of feral cats, for
15 purposes of spay/neuter and subsequent rerelease;

16 (1) For purposes of this subsection, the location of the cats,
17 without more, is not "otherwise in danger";

18 (2) A person is subject to civil penalties of not less than
19 \$200 nor more than \$500 if the person uses a trap from a public or
20 private sheltering agency or rescue group for purposes other than
21 those enumerated above.

22 (h) An action for a penalty proposed under this section may be
23 commenced in a court of competent jurisdiction by the administrator

1 of the public or private animal sheltering agency or rescue group
2 from which the recipient obtained the trap that is the subject of
3 the violation.

4 (i) All penalties collected under this section are retained by
5 the agency bringing the action under subsection (g) to be used
6 solely for programs to spay or neuter animals.

7 (j) The required holding period for a stray animal impounded
8 by any public or private sheltering agency is five business days,
9 not including the day of impoundment, unless otherwise provided in
10 this section:

11 (1) Stray animals without any form of identification and
12 without a known owner shall be held for owner redemption during the
13 first two days of the holding period, not including the day of
14 impoundment, and shall be available for owner redemption, transfer,
15 and adoption for the remainder of the holding period;

16 (2) Stray animals may be adopted into new homes or transferred
17 to a rescue group or private sheltering agency for the purpose of
18 adoption after the first three days of the holding period, not
19 including the day of impoundment, except as provided in
20 subdivisions (3) through (8) of this subsection;

21 (3) If a stray animal is impounded with a license tag,
22 microchip or other form of identification or belongs to a known
23 owner, the animal shall be held for owner redemption during the

1 first three days of the holding period, not including the day of
2 impoundment, and shall be available for owner redemption, transfer,
3 and adoption for the remainder of the holding period;

4 (4) Litters of animals or individual members of a litter of
5 animals, including the nursing mother, and unweaned animals may be
6 transferred to a private sheltering agency or rescue group for the
7 purpose of adoption immediately after impound;

8 (5) Individual members of litters of animals who are at least
9 six weeks of age, including the mother, may be adopted immediately
10 upon impound;

11 (6) A feral cat caregiver has the same right of redemption for
12 feral cats as an owner of a pet cat without conferring ownership of
13 the cat on the caregiver;

14 (7) Irremediably suffering animals shall be euthanized without
15 delay upon a determination made in writing and signed by a
16 veterinarian licensed to practice medicine in this state. The
17 certification shall be made available for free public inspection
18 for no less than three years;

19 (8) Unweaned animals impounded without their mother may be
20 killed so long as the shelter has exhausted all efforts to place
21 the animals in foster care, made an emergency appeal under the
22 requirements of subsection (m) of this section and certified that
23 it is unable to provide the needed care and feeding in its

1 facility. The certification must state in clear and definitive
2 terms why the agency is unable to place the animals in foster care,
3 which private sheltering agencies and rescue groups it made an
4 appeal to, what would be required in the future in order to provide
5 the needed care and feeding in foster care or its facility, what
6 steps are being taken to do so and a reasonable time frame not to
7 exceed one year from the date of the enactment of this section for
8 doing so. This certification shall be made in writing, signed by
9 the director of the agency or by a veterinarian and be made
10 available for free public inspection for no less than three years.

11 (k) (1) The required holding period for an owner relinquished
12 animal impounded by public or private sheltering agencies is the
13 same as that for stray animals and applies to all owner
14 relinquished animals, except as follows:

15 (A) An owner-relinquished animal that is impounded shall be
16 held for adoption or for transfer to a private sheltering agency or
17 rescue group for the purpose of adoption for the entirety of the
18 holding period;

19 (B) Owner-relinquished animals may be adopted into new homes
20 or transferred to a private sheltering agency or rescue group for
21 the purpose of adoption at any time after impoundment.

22 (2) When an animal is surrendered or brought to a shelter to
23 be killed at the owner's request, the animal is subject to the same

1 holding periods and the same requirements of all owner relinquished
2 animals notwithstanding the request.

3 (3) An animal seized by an officer of a public or private
4 sheltering agency under the provisions of a state statute having as
5 its effect the prevention or punishment of animal neglect or
6 cruelty or seized under the provision of state dangerous dog laws
7 or under state quarantine or disease control regulations is
8 impounded and held as consistent with the requirements of those
9 laws. When a statute under the provisions of those laws permits a
10 holding period, care or disposition which affords an animal less
11 protection than the mandates of this section, this section
12 supersedes those specific provisions regarding holding, care, and
13 disposition.

14 (1) (1) Except as otherwise provided in this section, public
15 and private sheltering agencies shall provide all animals during
16 the entirety of their shelter stay with fresh food, fresh water,
17 environmental enrichment to promote their psychological well-being
18 such as socialization, toys and treats and provide exercise as
19 needed but not less than once daily. Dogs who are vicious to people
20 or dangerous dogs may be exercised during the holding period but
21 this is not required.

22 (2) Notwithstanding the provisions of subdivision (1) of this
23 subsection, public and private sheltering agencies shall work with

1 a veterinarian licensed to practice medicine in this state to
2 develop and follow a care protocol which is consistent with the
3 goals of this section, as set forth in subsection (a), for animals
4 with special needs including, but not limited to, nursing mothers,
5 unweaned animals, sick or injured animals, geriatric animals or
6 animals needing therapeutic exercise. This care protocol shall
7 specify any deviation from the standard requirements of subdivision
8 (1) of this subsection and the reasons for the deviation.

9 (3) During the entirety of their shelter stay, animals shall
10 be provided prompt and necessary cleaning of their cages, kennels
11 or other living environments no less than two times per day to
12 ensure environments that are welcoming to the public, hygienic for
13 both the public and animals and to prevent disease. This cleaning
14 shall be conducted in accordance with a protocol developed in
15 coordination with a veterinarian licensed to practice medicine in
16 this state. Animals shall be temporarily removed from their cages,
17 kennels or other living environments during the process of cleaning
18 to prevent them from being exposed to water from hoses or sprays,
19 cleaning solutions, detergents, solvents or chemicals.

20 (4) During the entirety of their shelter stay, all animals
21 shall be provided with prompt and necessary veterinary care. This
22 includes, but is not limited to, preventative vaccinations, cage
23 rest, fluid therapy, pain management and antibiotics sufficient to

1 alleviate any pain caused by disease or injury, to prevent a
2 condition from worsening and to allow them to leave the shelter in
3 reasonable condition. This subdivision applies even if the animals
4 are not candidates for redemption, transfer or adoption.

5 (5) Public and private sheltering agencies shall work with a
6 veterinarian licensed to practice medicine in this state to develop
7 and follow a protocol to prevent the spread of disease including,
8 but not limited to, appropriate evaluation and testing of newly
9 impounded animals, administration of vaccines, proper isolation and
10 handling of sick animals and measures to protect those animals most
11 vulnerable to infection.

12 (m) All public and private sheltering agencies that kill
13 animals shall maintain a registry of organizations willing to
14 accept animals for the purposes of adoption as follows:

15 (1) All public or private sheltering agencies and rescue
16 groups designated as nonprofits by Section 501(c)(3) of the
17 Internal Revenue Code shall be immediately placed on this registry,
18 upon their request, regardless of the organizations' geographical
19 location or any other factor except as described in subdivision (4)
20 of this subsection;

21 (2) The public or private sheltering agency may include on the
22 registry any rescue groups that are not designated as nonprofits
23 under Section 501(c)(3) of the Internal Revenue Code;

1 (3) The registry shall include the following information as
2 provided by the registered organization:

3 (A) Organization name, mailing address and telephone number;

4 (B) Website and e-mail address, if any;

5 (C) Emergency contact information for the organization;

6 (D) The types of animals about whom the organization wishes to
7 be contacted including species-type and breed; and

8 (E) Whether the organization is willing and able to care for
9 unweaned animals, sick or injured animals, feral animals or
10 aggressive animals;

11 (4) A public or private sheltering agency may refuse to
12 include an organization on the registry, or delete it from the
13 registry, until such time as this is no longer the case, if any of
14 the organization's current directors or officers have been
15 convicted in a court of competent jurisdiction of a crime
16 consisting of cruelty to animals or neglect of animals, if such
17 charges are pending against any of the organization's current
18 directors or officers or if that organization or its current
19 directors or officers are constrained by a court order or legally
20 binding agreement that prevents the organization from taking in or
21 keeping animals. An agency may require an organization to disclose
22 any or all convictions, charges and legal impediments described in
23 this subdivision;

1 (5) A public or private sheltering agency may require that
2 registered organizations provide the following summary information,
3 which may be provided electronically, on no more than a monthly
4 basis:

5 (A) The total number of animals the organization has taken
6 from the agency who have been adopted;

7 (B) The total number of animals who have died;

8 (C) The total number of animals who were transferred;

9 (D) The total number of animals who were killed; and

10 (E) The total number of animals who are still under the
11 organization's care;

12 (6) A public or private sheltering agency may not demand
13 additional information other than that described in subdivision (5)
14 of this subsection as a prerequisite for including an organization
15 on the registry or for continuing to maintain that organization on
16 the registry.

17 (n) (1) No public or private sheltering agency may kill an
18 animal until the agency has notified or made a reasonable attempt
19 to notify all organizations on the registry that have indicated a
20 willingness to take an animal from the sheltering agency.

21 (A) The notification must take place at least four business
22 days prior to the killing of the animal.

23 (B) At a minimum, the notification must include calling the

1 organization's regular and emergency contact numbers and sending an
2 email to its email address, if any. Notification is considered
3 complete as to each individual group when this has been
4 accomplished.

5 (C) No animal may be killed if an organization on the registry
6 is willing and able to take the animal within four business days
7 after acknowledgment of notification.

8 (D) A shelter may assess a fee, not to exceed the shelter's
9 standard adoption fee for members of the public, for animals
10 transferred to rescue groups.

11 (2) No public or private sheltering agency may kill an animal
12 until the agency has notified individual rescuers, rescue groups
13 who are not designated as a nonprofit under Section 501(c)(3) of
14 the Internal Revenue Service and the public at large so that they
15 may consider adopting or rescuing the animal consistent with the
16 agency's normal adoption or transfer protocols.

17 (A) The notification must take place at least four business
18 days prior to the killing of the animal.

19 (B) The notification can be accomplished in any manner
20 reasonably likely to lead to lifesaving but must, at a minimum,
21 include posting a notice in the shelter on the particular animal's
22 cage or kennel and on the agency's website that states: "This
23 animal is to be killed on [date] and [time]."

1 (3) The following exceptions apply to the requirements of
2 subdivisions (1) and (2) of this subsection:

3 (A) All irremediably suffering animals shall be euthanized
4 without delay. The determination that an animal is irremediably
5 suffering must be made in writing, signed by a veterinarian
6 licensed to practice medicine in this state and made available for
7 free public inspection for no less than three years;

8 (B) Dangerous dogs may be released to organizations listed on
9 the registry;

10 (C) Upon the impoundment of unweaned animals without their
11 mother, all public and private sheltering agencies which have not
12 placed the animals into foster care or are not able to provide
13 supplemental feeding shall immediately make an emergency appeal to
14 organizations on the registry that have indicated they are willing
15 and able to care for unweaned animals and give the organizations
16 not less than eight days to respond to the appeal. Unweaned animals
17 impounded without their mother may then be killed before the
18 expiration of the four business days notification period if the
19 requirements of subdivision (8), subsection (j) of this section are
20 met.

21 (o) All public and private sheltering agencies shall take
22 appropriate action to ensure that all animals are checked for all
23 currently acceptable methods of identification including

1 microchips, identification tags and licenses. All public and
2 private sheltering agencies shall maintain continuously updated
3 lists of animals reported lost and match these lost reports with
4 animals reported found and animals in the shelter. The agencies
5 shall also post all stray animals on the Internet with sufficient
6 detail to allow the animals to be recognized and claimed by their
7 owners. If a possible owner is identified, the agencies shall
8 undertake reasonable efforts to notify the owner or caretaker of
9 the whereabouts of the animal and any procedures available for the
10 lawful recovery of the animal. These efforts shall include, but are
11 not limited to, notifying the possible owner by telephone, mail and
12 personal service to the last known address. Upon the owner's or
13 caretaker's initiation of recovery procedures, the agencies shall
14 retain custody of the animal for a reasonable period of time to
15 allow for completion of the recovery process. Efforts to locate or
16 contact an owner or caretaker and communications with persons
17 claiming to be owners or caretakers shall be recorded and be made
18 available for free public inspection for no less than three years.

19 (p) Every public or private sheltering agency shall have
20 adoption programs which include:

21 (1) Adoption programs to place animals into homes and to
22 transfer animals to other private sheltering agencies or rescue
23 groups for adoption;

1 (2) Promotion of animals to the community through means such
2 as the local media and the Internet;

3 (3) Evening and weekend adoption hours;

4 (4) Community-based adoption events or venues at locations
5 other than the shelter; and

6 (5) Accessibility at all public sheltering agencies seven days
7 per week for a minimum of six hours per day for the purpose of
8 adoptions except on Thanksgiving and Christmas when the shelters
9 may, but are not required to, be open.

10 (q) No public or private sheltering agency shall ban, bar,
11 limit or otherwise obstruct the adoption of any animal based on
12 arbitrary criteria such as breed, age, color or any other criteria
13 except as to the individual animal's medical condition and
14 aggression or the adopter's fitness to adopt.

15 (r) (1) Every public sheltering agency shall provide the
16 following public services:

17 (A) Low-cost spay/neuter services for animals;

18 (B) Volunteer opportunities for people to assist the shelter
19 including fostering animals, socializing animals, assisting with
20 adoptions and otherwise helping in the operations of the shelter;

21 (C) Programs to assist people in overcoming situations that
22 may cause them to relinquish or abandon their animals including,
23 but not limited to, programs that address animal behavior problems,

1 medical conditions and environmental conditions.

2 (2) Nothing in this subsection prohibits an agency from
3 enacting reasonable rules to facilitate the orderly operation of
4 these programs so long as the rules are designed to meet the goals
5 of this section as defined subsection (a).

6 (s) (1) No person may procure or use any living animal from a
7 public or private sheltering agency or rescue group for medical or
8 biological teaching, research or study. No hospital, educational
9 or commercial institution, laboratory or animal dealer, whether or
10 not the dealer is licensed by the United States Department of
11 Agriculture, may purchase or accept any living animal from a public
12 or private sheltering agency, rescue group, commercial kennel,
13 kennel, peace officer or animal control officer.

14 (2) No public or private sheltering agency, rescue group,
15 commercial kennel, kennel, peace officer or animal control officer
16 may sell, adopt, transfer or give away any living animal to a
17 person, hospital, educational or commercial institution, laboratory
18 or dealer in animals, whether or not such dealer is licensed by the
19 United States Department of Agriculture, for purposes of medical or
20 biological teaching, research or study.

21 (t) (1) No savable animal in a public or private sheltering
22 agency may be killed simply because the holding period has expired.
23 Before an animal is killed, all of the following conditions must be

1 met:

2 (A) There are no empty cages, kennels or other living
3 environments in the shelter;

4 (B) The animal cannot share a cage or kennel with another
5 animal;

6 (C) A foster home is not available;

7 (D) Organizations listed on the registry described in this
8 section are not willing to accept the animal;

9 (E) The animal is not a feral cat subject to sterilization and
10 release;

11 (F) All mandates, programs and services of this section have
12 been met; and

13 (G) The director of the agency certifies he or she has no
14 other alternative.

15 (2) The determination that all conditions of subdivision (1)
16 of this subsection have been met shall be made in writing, signed
17 by the director of the agency and be made available for free public
18 inspection for no less than three years.

19 (u) (1) All animals impounded by a public or private
20 sheltering agency or rescue group may be killed, only when
21 necessary and consistent with the requirements of this section, by
22 lethal intravenous injection of sodium pentobarbital except as
23 follows:

1 (A) Intraperitoneal injections may be used only under the
2 direction of a licensed veterinarian and only when intravenous
3 injection is not possible for infant animals, companion animals
4 other than cats and dogs, feral cats or in comatose animals with
5 depressed vascular function.

6 (B) Intracardiac injections may be used only when intravenous
7 injection is not possible for animals who are completely
8 unconscious or comatose and then only under the direction of a
9 veterinarian.

10 (2) No animal may be allowed to witness any other animal being
11 killed, being tranquilized or sedated for the purpose of being
12 killed or see the bodies of animals which have already been killed.

13 (3) Animals shall be sedated or tranquilized as necessary to
14 minimize their stress or discomfort or, in the case of vicious
15 animals, to ensure staff safety but neuromuscular blocking agents
16 may not be used.

17 (4) Following their injection, animals shall be lowered to the
18 surface on which they are being held and not permitted to drop or
19 otherwise collapse without support.

20 (5) An animal may not be left unattended between the time
21 procedures to kill the animal are commenced and the time death
22 occurs nor may the body be disposed of until death is verified.

23 (6) Verification of death shall be confirmed for each animal

1 in all of the following ways:

2 (A) By lack of heartbeat as verified by a stethoscope;

3 (B) By lack of respiration as verified by observation;

4 (C) By pale, bluish gums and tongue as verified by
5 observation; and

6 (D) By lack of eye response as verified by an eyelid which
7 does not blink when eye is touched and a pupil that remains dilated
8 when a light is shined on it.

9 (7) The room in which animals are killed shall be cleaned and
10 regularly disinfected as necessary but no less than once per day on
11 days the room is used. The area where the procedure is performed
12 shall be cleaned and disinfected between each procedure.

13 (8) The room in which animals are killed shall have adequate
14 ventilation that prevents the accumulation of odors.

15 (9) A veterinarian licensed to practice medicine in this state
16 or a euthanasia technician certified by the state euthanasia
17 certification program shall perform these procedures but if a state
18 certification program does not exist, the procedure may be
19 performed by a trained euthanasia technician working under the
20 direction of a veterinarian.

21 (v) (1) All public and private sheltering agencies must post
22 in a conspicuous place where animals are being relinquished by
23 owners, a sign which is clearly visible and readable from any

1 vantage point in the area, at least seventeen inches by twenty-two
2 inches, which has all of the following information identified by
3 species-type:

4 (A) The number of animals impounded for the prior calendar
5 year;

6 (B) The number of animals impounded for the prior calendar
7 year who were adopted;

8 (C) The number of animals impounded for the prior calendar
9 year who were transferred to other agencies for adoption;

10 (D) The number of animals impounded for the prior calendar
11 year who were reclaimed by their owners;

12 (E) The number of animals impounded for the prior calendar
13 year who died, were lost or were stolen while under the direct or
14 constructive care of the agency; and

15 (F) The number of animals impounded for the prior calendar
16 year who were killed by the agency at the agency's direction, with
17 the agency's permission or by a representative of the agency.

18 (2) All public or private sheltering agencies must provide all
19 owners who are relinquishing an animal with accurate information,
20 in writing, about the likely disposition of their animal which
21 includes, but is not limited to:

22 (A) If the animal is the breed or type who is normally killed;

23 (B) If the animal is likely to be killed because of some

1 current, usual or unusual circumstances; and

2 (C) The information provided in subdivision (1) of this
3 subsection.

4 (3) Any owner surrendering an animal to a public or private
5 sheltering agency must sign a statement on a form provided by the
6 agency which includes the specific language "I understand that the
7 shelter may kill my pet." If the statements are provided on a form
8 which has additional information, the owner must initial the
9 statement where these words appear. If the person refuses to sign
10 the statement, the shelter or its agents, must recite the statement
11 aloud to the owner and then write "Refused to sign." The statements
12 must be kept on file for a period of no less than three years.

13 (4) All public and private sheltering agencies must make
14 available for free public inspection the care, cleaning and disease
15 prevention protocols required in subsection (1) of this section.

16 (5) All public and private sheltering agencies shall include
17 on their websites and post, in a conspicuous place near the
18 entrance of the shelter, a list of organizations included on the
19 registry described in Section 9 as well as an invitation for all
20 public or private sheltering agencies and rescue groups to inquire
21 about being listed on the registry so that they may be notified
22 before any animal is killed. The lists may not include contact
23 information the registered organizations do not wish to make

1 public.

2 (w) (1) All public or private sheltering agencies shall
3 provide to the city council and, upon request, for free public
4 inspection, a monthly summary by the tenth day of the month that
5 includes the following information by species-type:

6 (A) The number of animals impounded during the previous month;

7 (B) The number of impounded animals sterilized and sterilized
8 by contract with participating outside private veterinarians during
9 the previous month;

10 (C) The number of animals who were killed by the agency, at
11 the agency's direction, with the agency's permission or by a
12 representative of the agency during the previous month;

13 (D) The number of animals who died, were lost or were stolen
14 while in the direct or constructive care of the agency during the
15 previous month;

16 (E) The number of animals who were returned to their owners
17 during the previous month;

18 (F) The number of animals who were adopted during the previous
19 month;

20 (G) The number of animals who were transferred to other
21 organizations for adoption during the previous month; and

22 (H) The number of animals impounded into the reporting agency
23 from outside the city during the previous month.

1 (2) Every public or private sheltering agency shall provide an
2 annual summary by January 31 to the city council and, upon request,
3 for free public inspection, which includes the following
4 information by species-type:

5 (A) The number of animals impounded during the previous
6 calendar year;

7 (B) The number of impounded animals sterilized or sterilized
8 by contract with participating outside private veterinarians during
9 the previous calendar year;

10 (C) The number of animals who were killed by the agency, at
11 the agency's direction, with the agency's permission or by a
12 representative of the agency during the previous calendar year;

13 (D) The number of animals who died, were lost or were stolen
14 while in the direct or constructive care of the agency during the
15 previous calendar year;

16 (E) The number of animals who were returned to their owners
17 during the previous calendar year;

18 (F) The number of animals who were adopted during the previous
19 calendar year;

20 (G) The number of animals who were transferred to other
21 organizations for adoption during the previous calendar year; and

22 (H) The number of animals impounded into the reporting agency
23 from outside the city during the previous calendar year.

1 (x) (1) Revenues from dog licenses as required under existing
2 state or local laws shall be deposited into an account for use by
3 the public animal control agency as follows:

4 (A) Sixty percent shall be used exclusively for free and low-
5 cost spay/neuter of feral cats and owned animals under the
6 provision of subdivision (2) of this subsection;

7 (B) Forty percent shall be used exclusively for free and low-
8 cost medical assistance including vaccinations of feral cats and
9 owned animals under the provision of subdivision (2) of this
10 subsection.

11 (2) These funds shall be used to provide low-cost spay/neuter
12 and medical care for animals if the owner or feral cat caretaker
13 meets income guidelines set by the shelter or city except as
14 follows:

15 (A) These funds shall be used to provide free spay/neuter for
16 animals if the owner is on public assistance or is eligible for any
17 type of city, county, state or federal aid of the kind that is
18 normally given to individuals based on lack of sufficient income;

19 (B) These funds shall be used to provide low-cost medical care
20 including vaccinations for animals if the owner is on public
21 assistance or is eligible for any type of city, county, state or
22 federal aid of the kind that is normally given to individuals based
23 on lack of sufficient income;

1 (C) These funds shall be used to provide free spay/neuter and
2 vaccinations against rabies for feral cats regardless of the feral
3 cat caretaker's income.

4 (3) These services shall be performed under the direction of
5 a licensed veterinarian.

6 (4) These funds shall not be deducted from the public animal
7 control agency's overall city budget.

8 (y) (1) A resident of the city may compel a public or private
9 sheltering agency or rescue group to follow the mandates of this
10 section through a lawsuit asking a court of competent jurisdiction
11 to grant declaratory and injunctive relief including, but not
12 limited to:

13 (A) Restraining orders;

14 (B) Preliminary injunctions;

15 (C) Permanent injunctions;

16 (D) Writs of mandamus;

17 (E) Writs of prohibition; and

18 (F) Other appropriate remedies at law which will compel
19 compliance with this section.

20 (2) Any public or private sheltering agency or rescue group
21 may compel a public or private sheltering agency to follow the
22 mandates of this section through a lawsuit asking a court of
23 competent jurisdiction to grant declaratory and injunctive relief

1 including, but not limited to:

2 (A) Restraining orders;

3 (B) Preliminary injunctions;

4 (C) Permanent injunctions;

5 (D) Writs of mandamus;

6 (E) Writs of prohibition; and,

7 (F) Other appropriate remedies at law which will compel
8 compliance with this section.

9 (z) Any law, ordinance or policy which requires the licensing
10 of cats, the confinement of cats, limits the number of animals a
11 household can own or care for, prohibits or requires permits for
12 the feeding of stray domestic animals or prohibits the adoption of
13 specific breeds of dogs is hereby repealed as contrary to the
14 public interest except that this subsection does not limit the
15 enforcement of a statute having as its effect the prevention or
16 punishment of animal neglect or cruelty so long as such enforcement
17 is based on the conditions of animals or the environment and not
18 based on the mere fact that a household has a certain number of
19 animals, a person is feeding stray domestic animals or a dog is of
20 a particular breed.

21 (aa) If the provisions of any subsection, subdivision or
22 paragraph of this section is adjudged invalid by a court or other
23 tribunal of competent jurisdiction, such determination, order or

1 judgment does not affect or invalidate the remainder of any
2 subsection, subdivision or paragraph of this section. Any
3 invalidity is confined in its operation to the subsection,
4 subdivision, paragraph or sentence directly involved in the
5 controversy in which such determination, order or judgment was
6 rendered.

NOTE: The purpose of this bill is to create a system of
organized efforts to save animals.

This section is new; therefore, strike-throughs and
underscoring have been omitted.