

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 1878

SPONSOR: Agriculture and Consumer Services Committee and Senator Jones

SUBJECT: Euthanasia of Animals

DATE: April 7, 1999 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Henderson</u>	<u>Poole</u>	<u>AG</u>	<u>Favorable/CS</u>
2.	_____	_____	<u>FP</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This bill revises provisions relating to the euthanasia of animals. It also revises the agents and the methods of administration that can be used to euthanize animals. This bill amends the curriculum for individuals who perform euthanasia on animals. It also limits the method by which the agents can be stored and transported. The Department of Agriculture and Consumer Services is exempt from the provisions of this bill. The euthanasia of animals in pet shops are subject to the provisions of this bill.

This bill amends section 828.058, Florida Statutes.

This bill repeals section 828.065, Florida Statutes.

II. Present Situation:

Currently, s. 828.058, F.S., specifies the criteria for euthanasia of dogs and cats. Only sodium pentobarbital, or a derivative of it or other agents approved by the Board of Veterinary Medicine can be used to euthanize dogs and cats. A lethal solution is used in the following order of preference:

- Intravenous injection by hypodermic needle;
- Intraperitoneal injection by hypodermic needle;
- Intracardial injection by hypodermic needle; or
- Solution or powder added to food.

A dog or cat may be tranquilized with an approved and humane substance before euthanasia is performed. When an emergency situation occurs and an injured, diseased or dangerous animal requires immediate euthanasia, a law enforcement officer, a veterinarian or an agent of a local animal control unit or the designee of the agent or agent of a society for the prevention of cruelty to animals, or a designee may humanely destroy the animal as provided under s. 828.05, F.S.

Furthermore, euthanasia can only be performed by a licensed veterinarian, or an employee of a public or private agency, animal shelter or other facility that collects and cares for stray, neglected, abandoned or unwanted animals if the employee has successfully completed a 16-hour euthanasia technician certification course. The course curriculum must include: the pharmacology, proper administration and storage of euthanasia solutions, federal and state laws regulating the storage and accountability of euthanasia solutions, euthanasia technician stress management and proper disposal of euthanized animals.

An employee or agent who performed euthanasia on animals before October 1, 1993, is required to have been certified by October 1, 1994. An employee or agent who has performed euthanasia since October 1, 1993, must obtain certification before euthanizing any animals.

No dog or cat is to be left unattended between the time euthanasia procedures begin and the time death occurs, nor may its body be disposed of until death is confirmed by a qualified person. Violators of this provision are guilty of a first degree misdemeanor and penalties are provided under s. 775.082, F.S. or s. 775.083, F.S.

III. Effect of Proposed Changes:

Section 1. Amends s. 828.058, F.S., to redesignate euthanasia of “dogs and cats” with “animals.” Only commercially prepared sodium pentobarbital or another agent approved by the Board of Veterinary Medicine rather than a sodium pentobarbital derivative is to be used for euthanasia of animals in animal shelters or other facilities. Exempts the Department of Agriculture and Consumer Services from the provisions of the bill. Provides that pet shops are subject to the provisions of this bill. Amends the administration of a lethal solution by any of the methods or a combination of those methods, rather than listing a specific order of preference. However, a solution or powder given orally is to be used as a last option. Provides for animals to be sedated or anesthetized as additional options to tranquilizing an animal with an approved substance prior to being euthanized.

Requires an animal to be unconscious or deeply anesthetized when using the intracardial injection method, or if the animal is dangerous and cannot be handled humanely using an acceptable level of restraints. Requires the procedures established by the Board of Veterinary Medicine rule to be followed when euthanizing any animal. Provides that any society or association for the prevention of cruelty to animals may perform immediate euthanasia on an injured, diseased or dangerous animal in an emergency situation.

Provides that a certified veterinary technician may perform euthanasia on animals. Amends the course curriculum to include the actual performance of euthanasia. Requires the instructor of the euthanasia certification workshops to be approved by and certified through the Florida Animal Control Association Board of Directors for the participants of the workshops to become certified. Provides that those who are certified euthanasia technicians on October 1, 1999, are not required to have actual performance of euthanasia as a part of their course work. Requires the euthanasia on an animal to be performed in a humane and efficient manner. Requires at least two people be present during routine euthanasia of an animal, although only the person administering the drug must be certified. In emergencies, to prevent unnecessary suffering of the animal, euthanasia may be performed by one person.

Prohibits an animal to be left unattended from the time of induction, if tranquilizers, sedatives or anesthetics have been administered until death is confirmed. Provides the methods to be used to determine death of the animal: the presence of rigor mortis; the absence of a heart beat, determined through the use of a stethoscope, accompanied by the absence of corneal reflex; or the absence of a heart beat determined by cardiac puncture. Requires a licensed veterinarian or a certified euthanasia technician to confirm the death of an animal. Provides that a certified euthanasia technician may transport, sodium pentobarbital in an authorized vehicle for an emergency field euthanasia if the drug is locked in a substantially constructed box that is secured to the vehicle. Requires that the drug, if removed from the vehicle, be stored in a designated place when the technician is off duty.

Requires public or private agency, animal shelter or other facility that collects and cares for stray, neglected, abandoned or unwanted animals to have available for inspection, written protocol pertaining to euthanasia. Requires the protocol to be initially and at least once a year to be reviewed and approved by a licensed veterinarian of this state. Requires the protocol to comply with the rules of the Board of Veterinary Medicine. Violators of this provision commit a first degree misdemeanor. The bill does not preclude the filing of misdemeanor or felony charges for cruelty to animals.

Section 2. Repeals s. 828.065, F.S., the euthanasia guidelines for the euthanasia of animals sold by pet shops.

Section 3. Provides an effective date of October 1, 1999.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The fiscal impact to the private sector is unknown. However, pet shop owners would be required to follow the provisions of the bill and have two persons present for animals to be euthanized.

C. Government Sector Impact:

There is an unknown fiscal impact that would occur to local county/city animal shelters as a result of the requirement that the euthanasia must be performed with at least two persons present.

VI. Technical Deficiencies:

Under the provisions of section one, it is unclear if only the Department of Agriculture and Consumer Services is excluded from the requirement of using only commercially prepared sodium pentobarbital to euthanize animals.

VII. Related Issues:

None.

VIII. Amendments:

None.