

By the Committee on Agriculture and Consumer Services; and
 Senator Jones

303-2041A-99

1 A bill to be entitled
 2 An act relating to euthanasia of animals;
 3 amending s. 828.058, F.S.; revising
 4 requirements for euthanasia of animals;
 5 requiring anesthetizing under certain
 6 circumstances; providing for procedures
 7 required for euthanasia of animals other than
 8 dogs and cats; authorizing agents of societies
 9 or associations for the prevention of cruelty
 10 to animals to humanely destroy an animal under
 11 emergency situations; revising requirements for
 12 euthanasia technician certification; requiring
 13 the presence of at least two persons to perform
 14 euthanasia except in emergency situations;
 15 specifying methods for confirmation of death;
 16 authorizing certified euthanasia technicians to
 17 transport sodium pentobarbital for emergency
 18 field euthanasia and providing requirements
 19 with respect thereto; providing for
 20 applicability of provisions relating to cruelty
 21 to animals and the penalties attached thereto;
 22 repealing s. 828.065, F.S., relating to
 23 euthanasia of animals offered or obtained for
 24 sale by pet shops, to conform; providing an
 25 effective date.

26
 27 Be It Enacted by the Legislature of the State of Florida:

28
 29 Section 1. Section 828.058, Florida Statutes, is
 30 amended to read:

31 828.058 Euthanasia of animals ~~dogs and cats~~.--

1 (1)(a) Commercially prepared sodium pentobarbital
2 whose only indication is for euthanasia of animals, ~~a sodium~~
3 ~~pentobarbital derivative,~~ or other agent the Board of
4 Veterinary Medicine may approve by rule shall be the only
5 methods used for euthanasia of animals ~~dogs and cats~~ by public
6 or private agencies excluding the Department of Agriculture
7 and Consumer Services, animal shelters, or other facilities
8 which are operated for the collection and care of stray,
9 neglected, abandoned, or unwanted animals and for euthanasia
10 of animals offered or obtained for sale by pet shops.

11 (b) A lethal solution shall be administered by means
12 of ~~used in the following order of preference:~~

13 ~~(a) intravenous,~~ injection by hypodermic needle;

14 ~~(b) intraperitoneal,~~ or injection by hypodermic
15 needle;

16 ~~(c) intracardial injection by hypodermic needle,~~ or
17 any combination of such methods. ~~or~~

18 ~~(d) However,~~ as a last option, a lethal solution or
19 powder may be given orally ~~added to food.~~

20 (2) Any animal ~~A dog or cat~~ may be tranquilized,
21 sedated, or anesthetized with an approved and humane substance
22 before euthanasia is performed. However, any animal to be
23 administered an intracardial injection must be unconscious or
24 deeply anesthetized prior to the injection, and a feral or
25 fractious dog or cat that cannot be handled humanely using an
26 acceptable level of restraint must be deeply anesthetized
27 prior to euthanasia.

28 (3) When euthanizing any animal, procedures
29 established by the Board of Veterinary Medicine by rule for
30 such purpose must be followed.

31

1 (4)(a)~~(3)~~ Succinylcholine chloride, curare, curariform
2 mixtures, any substance which acts as a neuromuscular blocking
3 agent, or a chamber which causes a change in body oxygen may
4 not be used on any animal ~~a dog or cat~~ for any purpose.

5 (b) ~~However,~~ Whenever an emergency situation exists
6 which requires the immediate euthanasia of an injured,
7 diseased, or dangerous animal, a law enforcement officer, a
8 veterinarian, or an agent of a local animal control unit or
9 society or association for the prevention of cruelty to
10 animals or the designee of such an agent may humanely destroy
11 the animal, as provided in s. 828.05.

12 (5)~~(4)~~(a) Euthanasia shall be performed only by a
13 licensed veterinarian or an employee or agent of a public or
14 private agency, animal shelter, or other facility that is
15 operated for the collection and care of stray, neglected,
16 abandoned, or unwanted animals. ~~provided~~ The employee or
17 agent must have ~~has~~ successfully completed a 16-hour
18 euthanasia technician certification course. The curriculum for
19 such course must be approved by the Board of Veterinary
20 Medicine, must require actual performance of euthanasia, and
21 must include, at a minimum, the pharmacology, proper
22 administration, and storage of euthanasia solutions; federal
23 and state laws regulating the storage and accountability of
24 euthanasia solutions; euthanasia technician stress management;
25 and proper disposal of euthanized animals. In order for
26 persons who attend euthanasia certification workshops to be
27 certified through the Florida Animal Control Association, the
28 person teaching the course must be licensed or certified as
29 provided in this paragraph and approved by the association's
30 board of directors. An employee or agent must obtain
31 certification before performing any euthanasia ~~before October~~

1 ~~1, 1993, must obtain certification by October 1, 1994. An~~
2 ~~employee or agent who begins performing euthanasia on or after~~
3 ~~October 1, 1993, must obtain certification before performing~~
4 ~~any euthanasia. However, a certified veterinarian technician~~
5 ~~who is an employee or agent as defined in the subsection, may~~
6 ~~perform euthanasia without completing the certification course~~
7 ~~required by this subsection. Euthanasia must be performed in a~~
8 ~~humane and proficient manner.~~

9 (b) Any person who on October 1, 1999, was a
10 euthanasia technician certified under the previous
11 requirements of paragraph (a) need not comply with this
12 section.

13 (6) Euthanasia on an animal under this section must be
14 performed in a humane and efficient manner and must be
15 performed by at least two persons, of whom only the person
16 administering the drug must be licensed or certified in
17 accordance with the provisions of paragraph (5)(a). However,
18 in emergency situations, in order to prevent the unnecessary
19 suffering of an animal, euthanasia may be performed solely by
20 a person licensed or certified in accordance with the
21 provisions of paragraph (5)(a).

22 (7)(b) An animal ~~No dog or cat~~ may not be left
23 unattended between the time euthanasia procedures are first
24 begun, including the time of induction if tranquilizers,
25 sedatives, or anesthetics are administered, and the time death
26 is confirmed; occurs, ~~nor~~ may its body be disposed of until
27 death is confirmed by a licensed veterinarian or a certified
28 euthanasia technician ~~qualified person~~. Death must be
29 confirmed by the presence of rigor mortis or by the absence of
30 a heart beat, determined through the use of a stethoscope
31

1 accompanied by the absence of corneal reflex or through
2 cardiac puncture.

3 (8) A certified euthanasia technician may transport
4 sodium pentobarbital in an authorized vehicle for the purpose
5 of emergency field euthanasia, provided the drug is kept in a
6 substantially constructed and securely locked box which is
7 inside the cab or operator section of the vehicle and secured
8 to the vehicle chassis. However, when the certified euthanasia
9 technician is off duty, the drug must be removed from the
10 vehicle and stored in its designated place.

11 (9) Each public or private agency, animal shelter, or
12 other facility that is operated for the collection and care of
13 stray, neglected, abandoned, or unwanted animals shall have on
14 premise, available for inspection, written protocol pertaining
15 to euthanasia. This protocol must be initially, and at least
16 once a year thereafter, reviewed and approved by a
17 veterinarian licensed to practice in this state.

18 (10) Each public or private agency, animal shelter, or
19 other facility that is operated for the collection and care of
20 stray, neglected, abandoned, or unwanted animals is
21 responsible for ensuring that written protocol pertaining to
22 euthanasia which complies with the rules of the Board of
23 Veterinary Medicine is followed.

24 (11)(5) The state attorney may bring an action to
25 enjoin any violation of this ~~section~~ act.

26 (12)(6) Any person who violates ~~the provisions of this~~
27 ~~section~~ commits act is guilty of a misdemeanor of the first
28 degree, punishable as provided in s. 775.082 or s. 775.083.
29 However, this section does not preclude the filing of
30 misdemeanor or felony charges for cruelty to animals under s.
31 828.12.

1 Section 2. Section 828.065, Florida Statutes, is
2 repealed.

3 Section 3. This act shall take effect October 1, 1999.

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5 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
6 COMMITTEE SUBSTITUTE FOR
7 Senate Bill 1878

8 Committee Substitute for Senate Bill 1878 is different from
9 Senate Bill 1878 in that it:

- 10 - Exempts the Department of Agriculture and Consumer
11 Services from the provisions of the bill.
12 - Requires pet shops to be subject to the provisions of
13 this bill.
14 - Repeals section 828.065, Florida Statutes, Euthanasia of
15 animals offered for sale by pet shops.
16 - Requires procedures established by the Board of
17 Veterinary Medicine rules to be followed when
18 euthanizing any animal.
19 - Deletes the provision requiring newly hired animal
20 control officers to complete an additional eight hours
21 of certification.
22 - Requires public or private agency, animal shelter or
23 other facility that collects and cares for stray,
24 neglected, abandoned or unwanted animals to have a
25 written protocol that:
26 -- Pertains to euthanasia and is available for
27 inspection;
28 -- Complies with rules of the Board of the Veterinary
29 Medicine; and
30 -- Is reviewed and approved by a licensed
31 veterinarian of this state, initially and at least
once a year.