

By Representative Jacobs

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 certain continuing education as a condition of
14 continued certification; requiring the presence
15 of at least two persons to perform euthanasia
16 except in emergency situations; specifying
17 methods for confirmation of death; authorizing
18 certified euthanasia technicians to transport
19 sodium pentobarbital for emergency field
20 euthanasia and providing requirements with
21 respect thereto; providing for applicability of
22 provisions relating to cruelty to animals and
23 the penalties attached thereto; repealing s.
24 828.065, F.S., relating to euthanasia of
25 animals offered or obtained for sale by pet
26 shops, to conform; providing an effective date.

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

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

1 828.058 Euthanasia of animals ~~dogs and cats~~.--
2 (1)(a) Commercially prepared sodium pentobarbital
3 whose only indication is for euthanasia of animals, a sodium
4 pentobarbital derivative, or other agent the Board of
5 Veterinary Medicine may approve by rule shall be the only
6 methods used for euthanasia of animals ~~dogs and cats~~ by public
7 or private agencies, 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 other than a dog or
29 cat, procedures established by the Board of Veterinary
30 Medicine by rule for 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, a certified veterinary technician, or
14 an employee or agent of a public or private agency, animal
15 shelter, or other facility that is operated for the collection
16 and care of stray, neglected, abandoned, or unwanted animals,
17 provided the employee or agent has successfully completed a
18 24-hour ~~16-hour~~ euthanasia technician certification course and
19 maintained the necessary number of continuing education hours
20 pertaining to euthanasia. The curriculum for such course must
21 be approved by the Board of Veterinary Medicine, must require
22 actual performance of euthanasia, and must include, at a
23 minimum, the pharmacology, proper administration, and storage
24 of euthanasia solutions; federal and state laws regulating the
25 storage and accountability of euthanasia solutions; euthanasia
26 technician stress management; and proper disposal of
27 euthanized animals. In order for persons who attend euthanasia
28 certification workshops to be certified through the Florida
29 Animal Control Association, the person teaching the course
30 must be licensed or certified as provided in this paragraph
31 and approved by the association's board of directors.An

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

10 (b) Any person who on October 1, 1999, was a
11 euthanasia technician certified under the previous
12 requirements of paragraph (a), which required only a 16-hour
13 course, must obtain the additional 8 hours of certification
14 training, including the requirement of actual performance of
15 euthanasia, by October 1, 2001.

16 (c) In order to maintain certification, a certified
17 euthanasia technician must obtain a minimum of 8 hours of
18 continuing education pertaining to euthanasia every 2 years,
19 as prescribed by the Board of Veterinary Medicine by rule.

20 (6) Euthanasia on an animal under this section must be
21 performed in a humane and efficient manner and must be
22 performed by at least two persons, of whom only the person
23 administering the drug must be licensed or certified in
24 accordance with the provisions of paragraph (5)(a). However,
25 in emergency situations, in order to prevent the unnecessary
26 suffering of an animal, euthanasia may be performed solely by
27 a person licensed or certified in accordance with the
28 provisions of paragraph (5)(a).

29 (7)(b) An animal ~~No dog or cat~~ may not be left
30 unattended between the time euthanasia procedures are first
31 begun, including the time of induction if tranquilizers,

1 sedatives, or anesthetics are administered, and the time death
2 is confirmed; occurs, nor may its body be disposed of until
3 death is confirmed by a licensed veterinarian, a certified
4 veterinary technician, or a certified euthanasia technician
5 qualified person. Death must be confirmed by the presence of
6 rigor mortis or by the absence of a heart beat, determined
7 through the use of a stethoscope accompanied by the absence of
8 corneal reflex or through cardiac puncture.

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

17 (9)(5) The state attorney may bring an action to
18 enjoin any violation of this section act.

19 (10)(6) Any person who violates ~~the provisions of this~~
20 section commits act is guilty of a misdemeanor of the first
21 degree, punishable as provided in s. 775.082 or s. 775.083.
22 However, this section does not preclude the filing of
23 misdemeanor or felony charges for cruelty to animals under s.
24 828.12.

25 Section 2. Section 828.065, Florida Statutes, is
26 repealed.

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

28
29
30
31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

HOUSE SUMMARY

Revises requirements for euthanasia of animals in shelters or like facilities and animals offered or obtained for sale by pet shops. Requires anesthetizing under certain circumstances. Provides for procedures required for euthanasia of animals other than dogs and cats. Authorizes agents of societies or associations for the prevention of cruelty to animals to humanely destroy an animal under emergency situations. Revises requirements for euthanasia technician certification and requires certain continuing education as a condition of continued certification. Requires the presence of at least two persons to perform euthanasia except in emergency situations. Specifies methods for confirmation of death. Authorizes certified euthanasia technicians to transport sodium pentobarbital for emergency field euthanasia and provides requirements with respect thereto. Provides for applicability of provisions relating to cruelty to animals and the penalties attached thereto. See bill for details.