

ASSEMBLY BILL

No. 2791

Introduced by Assembly Member Muratsuchi

February 16, 2018

An act to amend Sections 17006 and 31752 of the Food and Agricultural Code, relating to animals.

LEGISLATIVE COUNSEL'S DIGEST

AB 2791, as introduced, Muratsuchi. Stray animals: impoundment: kittens.

Existing law prohibits certain animals that are irremediably suffering from serious illness or severe injury from being held for owner redemption or adoption, and authorizes newborns of those animals that need maternal care and have been impounded without their mothers to be euthanized without being held for owner redemption or adoption.

Existing law specifies that no stray cat impounded by a public or private shelter shall be euthanized before 6 business days after the stray cat is impounded, not including the day of impoundment, and requires, except regarding animals covered by the above provisions, that the stray cat be released to a nonprofit animal rescue or an adoption organization before the scheduled euthanasia of the stray cat if requested by the organization before the scheduled euthanasia of the stray cat.

This bill would permit a kitten under 8 weeks of age that is reasonably believed to be unowned and is impounded in a public or private shelter to be immediately made available for release to a nonprofit animal rescue or adoption organization before euthanasia of that animal.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17006 of the Food and Agricultural Code
2 is amended to read:

3 17006. Animals that are irremediably suffering from a serious
4 illness or severe injury shall not be held for owner redemption or
5 adoption. ~~Newborn~~ *Except as provided in subdivision (c) of Section*
6 *31752, newborn* animals that need maternal care and have been
7 impounded without their mothers may be euthanized without being
8 held for owner redemption or adoption.

9 SEC. 2. Section 31752 of the Food and Agricultural Code is
10 amended to read:

11 31752. (a) The required holding period for a stray cat
12 impounded pursuant to this division shall be six business days,
13 not including the day of impoundment, except as follows:

14 (1) If the public or private shelter has made the cat available for
15 owner redemption on one weekday evening until at least 7 p.m.
16 or one weekend day, the holding period shall be four business
17 days, not including the day of impoundment.

18 (2) If the public or private shelter has fewer than three full-time
19 employees or is not open during all regular weekday business
20 hours, and if it has established a procedure to enable owners to
21 reclaim their cats by appointment at a mutually agreeable time
22 when the public or private shelter would otherwise be closed, the
23 holding period shall be four business days, not including the day
24 of impoundment.

25 ~~Except~~

26 (b) *Except as provided in Sections 17006 and 31752.5, stray*
27 *cats shall be held for owner redemption during the first three days*
28 *of the holding period, not including the day of impoundment, and*
29 *shall be available for owner redemption or adoption for the*
30 *remainder of the holding period.*

31 ~~(b)~~

32 (c) (1) *Except as provided in Section 17006, any stray cat that*
33 *is impounded pursuant to this division shall, ~~prior to~~ before the*
34 *euthanasia of that animal, be released to a nonprofit, as defined in*
35 *Section 501(c)(3) of the Internal Revenue Code, animal rescue or*
36 *adoption organization if requested by the organization ~~prior to~~*
37 *before the scheduled euthanasia of that animal. In addition to any*
38 *required spay or neuter deposit, the public or private shelter, at its*

1 discretion, may assess a fee, not to exceed the standard adoption
2 fee, for animals adopted or released. The public or private shelter
3 may enter into cooperative agreements with any animal rescue or
4 adoption organization.

5 (2) *A kitten under eight weeks of age that is reasonably believed*
6 *to be unowned and is impounded in a public or private shelter*
7 *may, before the euthanasia of that animal, be made immediately*
8 *available for release to a nonprofit, as defined in Section 501(c)(3)*
9 *of the Internal Revenue Code, animal rescue or adoption*
10 *organization if requested by the organization.*

11 ~~(e)~~

12 (d) During the holding period required by this section and ~~prior~~
13 ~~to~~ before the adoption or euthanasia of a cat impounded pursuant
14 to this division, a public or private shelter shall scan the cat for a
15 microchip that identifies the owner of that cat and shall make
16 reasonable efforts to contact the owner and notify him or her that
17 his or her cat is impounded and is available for redemption.

18 ~~(e)~~

19 (e) As used in this division, a “business day” includes any day
20 that a public or private shelter is open to the public for at least four
21 hours, excluding state holidays.