



# 2023 Acts Affecting Animals and Agriculture

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## Notice to Readers

This report provides summaries of new laws (public acts and special acts) significantly affecting animals and agriculture enacted during the 2023 legislative session. OLR's other Acts Affecting reports, including Acts Affecting Environment, are, or will soon be, available on OLR's website:

<https://www.cga.ct.gov/olr/actsaffecting.asp>.

Each summary indicates the public act (PA) or special act (SA) number. Not all provisions of the acts are included. The report does not include vetoed acts unless the veto was overridden.

Complete summaries of public acts are, or will soon be, available on OLR's website:

<https://www.cga.ct.gov/olr/olrpasums.asp>.

Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, House Clerk's Office, or General Assembly's website: <http://www.cga.ct.gov>.

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# **Animals**

## ***Animal Cruelty***

A new law makes it a class A misdemeanor to sexually assault an animal, punishable by up to 364 days in prison, a fine up to \$2,000, or both. Among other things, the new law also:

1. authorizes law enforcement officers and animal control officers (ACOs) to take possession of an animal when the officer has a reasonable belief that an animal was sexually assaulted;
2. authorizes ACOs to take physical custody of an animal when the officer has reasonable cause to believe, or upon issuance of a warrant finding probable cause, that the animal has been treated cruelly, including sexually assaulted;
3. imposes a duty on veterinarians to report suspected harm, neglect, or cruelty to an animal due to the animal's participation in an animal fighting exhibition, and gives a veterinarian immunity from civil liability for making the report; and
4. requires the court to issue an order prohibiting anyone convicted of an animal cruelty crime from, among other things, owning, residing with, or working with animals for five years after the date of his or her conviction or release, whichever is later ([PA 23-149](#), effective October 1, 2023).

## ***Animal Neglected or Cruelly Treated***

A new law allows ACOs, when an animal is found to be neglected or cruelly treated, to seek a court order to require the animal's owner to provide necessary care for the animal. This option is in addition to other court orders ACOs may already request by law (e.g., removal and temporary care and custody). The new law also increases (from \$500 to \$1,000) the cash bond amount required from an animal's owner when the animal is placed in temporary care.

By law, if a court finds an animal is neglected or cruelly treated, the animal's owner, or other person responsible for the animal, must pay a per animal per day rate for expenses incurred by the state, a municipality, or other person or agency for the animal's temporary care and custody. The new law increases the per diem rate that the person must pay, from \$25 to \$30 for a horse or other large livestock and from \$15 to \$20 for other animals. It also requires the animal's owner or other responsible person to pay, in addition to the per diem rate, all veterinary costs incurred for the animal's welfare while in temporary custody ([PA 23-17](#), § 1, effective upon passage).

## ***Animal Population Control Program***

[PA 21-90](#) required the Department of Agriculture (DoAg) commissioner to update the reimbursement amount paid to veterinarians participating in the Animal Population Control Program. It required that he set a reimbursement rate (up to 75% of the market rate or fee charged

by veterinarians in Connecticut) as of October 31, 2021. A new law instead requires him to set this reimbursement rate biennially ([PA 23-17](#), § 11, effective upon passage).

### ***Black Bears and Other Potentially Dangerous Animals***

This session, the legislature passed a law that explicitly allows a person to kill a black bear if the person reasonably believes the bear is (1) inflicting, or about to inflict, great bodily harm to a person; (2) injuring or killing the person's controlled pet; or (3) entering a building occupied with people. The new law also bans intentionally feeding potentially dangerous animals (e.g., bear, bobcat, coyote, or fox) on land not owned by the state and makes it an infraction to do so ([PA 23-77](#), §§ 2 & 3, effective October 1, 2023).

### ***Business Entity Licenses and Registrations***

A new law makes any person, and any business with a controlling interest held by a person, who is found guilty of animal cruelty ineligible to hold a commercial kennel, pet shop, grooming facility, or training facility license.

By law, the DoAg commissioner may revoke or suspend a commercial kennel, pet shop, grooming facility, or training facility license or an animal shelter registration for failure to comply with state laws and regulations and commissioner orders. The new law also authorizes him to refuse to issue or renew a license or registration for the same reasons ([PA 23-17](#), § 4, effective upon passage).

### ***General Penalty and Enforcement***

When a person owning, keeping, or harboring a cat or dog or maintaining a kennel or commercial kennel violates a provision of [Chapter 435 of the general statutes](#) (i.e., laws related to companion animals) or a regulation about restraining or destroying cats or dogs, for which no other penalty is specified, a general penalty is imposed. The penalty is a fine of at least \$250, up to 30 days in prison, or both. A new law applies the general penalty to a violation of any regulation, not just those on restraining or destroying cats or dogs.

The new law also (1) makes ACOs responsible for enforcing the chapter's provisions, removing the requirement that constables do so, and (2) eliminates a requirement that the DoAg commissioner take enforcement action when an ACO is negligent in his or her duties ([PA 23-17](#), § 10, effective upon passage).

## ***Health Certificates for Imported Cats and Dogs***

Under a new law, veterinarians who issue health certificates for imported cats and dogs must be accredited by the U.S. Department of Agriculture ([PA 23-17](#), § 7, effective July 1, 2023).

## ***Local Kennels***

A new law renames a kennel license as a “local kennel license” and requires a person to get this license when breeding more than five, instead of two, litters of dogs annually. (A person applies to the town clerk for this license.) The new law disqualifies anyone who is guilty of animal cruelty from holding a local kennel license. It also directs how municipalities may spend the local kennel license fees they collect, allows municipal and regional ACOs to inspect kennels annually, and generally reduces penalties related to violating kennel requirements ([PA 23-17](#), § 3, as amended by [PA 23-187](#), § 28, effective upon passage).

## ***Municipal Animal Control Officer Reports***

This session, the legislature modified a law that requires municipal ACOs to report monthly to the town or region’s chief administrative officer on the official duties and services they performed in the prior month. The new law requires (1) the ACOs to send their reports to the DoAg commissioner (under prior law, the administrative officer had to forward it to the commissioner) and (2) DoAg to prescribe the forms for the reporting ([PA 23-17](#), § 2, effective upon passage).

## ***Municipal or Regional Dog Pounds***

A new law requires municipal or regional dog pounds to have mechanical heating and cooling systems that can maintain an indoor ambient temperature between 55 and 80 degrees Fahrenheit, unless a state-licensed veterinarian requires other temperatures for medical reasons. It also imposes additional rules for how these pounds keep cats and dogs (e.g., generally prohibiting kittens and puppies from being kept with adult cats and dogs) and authorizes the DoAg commissioner to enforce the requirements.

By law, the commissioner may inspect dog pounds and other facilities where domestic animals are kept and issue orders to correct any deficiencies found. The new law requires him to give municipal ACOs an inspection report with findings within five days after an inspection. The ACO must give a copy of the report to the municipality’s chief elected official and police department or ACO supervisor within 30 days after receiving it.

Lastly, the new law requires the commissioner to submit any revisions to municipal dog pound regulations that are in process, as of the law's passage, to the Regulation Review Committee by September 1, 2023 ([PA 23-138](#), various effective dates).

### ***Pet Lemon Law Enforcement***

Under prior law, if a pet shop licensee failed to reimburse a consumer in accordance with the state's pet lemon law, the consumer could seek help from the DoAg commissioner. A new law eliminates this assistance and, instead, gives the consumer standing to bring a lawsuit in Superior Court for an enforcement action if a licensee fails to reimburse or replace an animal as required under the pet lemon law ([PA 23-17](#), § 5, effective July 1, 2023).

### ***Pet Shop Veterinary Records***

By law, pet shop licensees must have a licensed veterinarian examine each dog or cat every 15 days until the animal is sold. A new law allows pet shop licensees to maintain either electronic or paper records of veterinary services provided for dogs and cats offered for sale ([PA 23-17](#), § 5, effective July 1, 2023).

### ***Rabies***

A new law makes numerous changes in the statutes related to rabies, such as (1) allowing the DoAg commissioner or his designee to order rabies testing, (2) increasing the penalty for violating a rabies-related order, (3) requiring suspected or confirmed cases of rabies to be reported to the state veterinarian within 24 hours, and (4) requiring the owner or keeper of an animal that is seized for failure to abide by a quarantine order to pay all costs associated with the animal's seizure and care before reclaiming the animal ([PA 23-17](#), § 8, effective upon passage).

### ***Service Animals***

Under prior law, a dog owner or keeper had to restrain their dog when near a person with a disability who is with a guide dog that is licensed, under the person's control, and wearing a harness or orange leash and collar that readily identifies the dog as a guide dog. A new law updates the law to replace the term "guide dog" with "service animal." It also eliminates the requirement that the animal wear a harness or orange leash and collar, but still requires it to be readily identified as a service animal ([PA 23-17](#), § 9, effective upon passage).

### ***State Veterinarian***

A new law designates the state veterinarian, who is a DoAg employee, the state animal health official, rather than the state's chief livestock health official as under prior law. It also allows the

DoAg commissioner to designate one or more veterinarians to exercise the state veterinarian's authority, power, and duties in her absence ([PA 23-184](#), § 3, effective upon passage).

### ***Technical Changes and Repealed Statutes***

A new law makes technical and conforming changes, including removing references to the following statutes, which it repeals: (1) [CGS § 22-344c](#), which allowed towns to require a license in order to keep 10 or more unneutered or unsplayed dogs capable of breeding and required the DoAg commissioner to prescribe the standard of care for those dogs and any cats in a breeding cattery and (2) [CGS § 22-348](#), which allocated \$0.10 from each dog license fee to UConn for canine disease research ([PA 23-17](#), §§ 6, 12 & 13, effective upon passage).

## **Agriculture**

### ***Advertising Local Agriculture***

A new law eliminates the ability to advertise farm products as “native,” “native-grown,” “local,” or “locally grown.” As under existing law, farm products may be advertised or sold as “CT-Grown” or “Connecticut-Grown” if they are grown or produced in Connecticut or within a specified radius of the point of sale. The new law reduces this radius from 10 miles to two miles. By law, someone who fails to comply with the advertising requirements is subject to a fine of up to \$100 for each label that is in violation ([PA 23-184](#), §§ 2 & 6, effective upon passage).

### ***Apple Marketing Advisory Board***

A new law restructures the state's Apple Marketing Board and renames it the Apple Marketing Advisory Board. It places the board within DoAg for administrative purposes, and requires the board to assist and advise the DoAg commissioner with carrying out the state's laws on apple market orders (i.e., an order the commissioner issues related to marketing research and promotion of apples and apple products). It sets forth the board's additional responsibilities and membership ([PA 23-184](#), §§ 9 & 10, effective upon passage).

### ***Eggs Sold Directly to Consumers***

A new law requires egg producers who sell eggs directly to households to sell only eggs that are unadulterated, cleaned of exterior debris, and stored at no more than 45 degrees Fahrenheit. It also requires these egg producers to label their eggs with the producer's name and address, the type of egg (if not chicken eggs), the quantity of eggs, and safe food handling instructions ([PA 23-184](#), § 8, effective upon passage).



### ***Farm Viability Grant Program Renamed***

A new law renames the Farm Viability Grant Program as the Agricultural Enhancement Grant Program. DoAg administers this matching grant program to further agriculture in the state. The program is open to municipalities, groups of municipalities, regional councils of governments, and agricultural non-profits ([PA 23-184](#), § 4, effective upon passage).

### ***Farm Wineries***

A new law allows farm winery permittees to sell their product at up to three retail outlets under certain conditions. It also allows those who sustain a significant loss of fruit to have the lost crop used to satisfy the law's average crop requirement ([PA 23-49](#), effective upon passage).

### ***Farmers' Market Alcohol Sales***

By law, manufacturer permittees for beer; farm winery; and wine, cider, and mead may obtain a farmers' market sales permit allowing them to sell their product at farmers' markets. A new law expands the permit to also allow a manufacturer of spirits to sell spirits at a farmers' market ([PA 23-50](#), §§ 10 & 15, effective upon passage).

### ***Farmland Preservation Program***

A new law allows the owners of land for which DoAg acquires the development rights under the Farmland Preservation Program to subdivide or lease a portion of the property under certain circumstances ([PA 23-184](#), § 5, effective upon passage).

### ***Farmland Restoration Grant Program***

This session, the legislature revised the Farmland Restoration Grant Program, which DoAg administers, in various ways. For example, it removed a \$20,000 cap on grants, including those for land management, restoration, or resiliency plans for state- or municipally owned land subject to an agricultural lease of five years or longer.

By law, the DoAg commissioner may pay or reimburse certain entities (i.e., a municipality, nonprofit organization, soil and water conservation district, or UConn Extension Services) for a variety of services (e.g., technical assistance and other services designed to increase the number of farmers implementing climate-smart agriculture and forestry practices). Under the revised program, the commissioner can make these payments or reimbursements within available appropriations, but advance payments cannot exceed 50% of the cost and the total state grant cannot be more than 90% of the cost ([PA 23-184](#), § 1, effective October 1, 2023).

## ***Hemp***

A new law establishes a new category of “high-THC hemp product” and classifies it as marijuana or cannabis, thus subjecting it to various licensing and regulatory requirements.

That same law places additional requirements on manufacturer hemp (intended for human ingestion), such as requiring it to be tested in accordance with certain laboratory standards and have certain packaging, labeling, warnings, and disclosures. It also prohibits manufacturer hemp products containing synthetic cannabinoids from being offered for sale.

Another new law allows for sales of manufacturer hemp products in licensed medical marijuana dispensary facilities, cannabis retailers, and hybrid retailers (i.e., sells recreational cannabis and medical marijuana) ([PA 23-79](#), §§ 44 & 45, and [PA 23-166](#), effective July 1, 2023).

## ***Honey and Maple Syrup Production***

A new law subjects anyone who violates state statutes and regulations on honey and maple syrup production to a \$50 fine for a first offense and a \$200 fine for each subsequent offense. It also authorizes the DoAg commissioner to deny, suspend, or revoke a honey and maple syrup producer’s state-issued credential under the Uniform Administrative Procedure Act ([PA 23-184](#), § 7, effective upon passage).

## ***Livestock Regulation***

A new law revises the state’s livestock statutes to reflect language changes over time from the U.S. Department of Agriculture. It updates compensation and quarantine requirements for condemned livestock and public health responsibilities regarding reportable diseases.

Among other things, the new law generally requires livestock imported to the state to have a livestock importation permit and a certificate of veterinary inspection (i.e., health certificate). It specifies importation requirements for livestock generally and specifically for cattle, bison, sheep, goats, camelids (e.g., camels, llamas, alpacas), Cervidae (e.g., deer), and swine. It broadly prohibits importing an animal infected with or exposed to any infectious disease (e.g., tuberculosis, brucellosis, rabies).

The new law also imposes a general penalty for violating the livestock statutes and related regulations when specific penalties are not provided. Under this general penalty, a violator is subject to a \$250 fine for a first violation and a class D misdemeanor for a second violation ([PA 23-187](#), effective upon passage).

## ***Livestock Roaming Prohibited***

A new law prohibits the owner or keeper of livestock from allowing their livestock to roam at large on another's land or a public highway when not under his or her control and makes violating the prohibition an infraction ([PA 23-184](#), § 12, effective upon passage).

## ***Local Food for Schools Incentive Program***

This session, the legislature passed a law creating the Local Food for Schools Incentive Program in DoAg to reimburse eligible school boards for the purchase of locally or regionally sourced food for school meal programs. The law requires DoAg to develop grant guidelines and establishes reimbursement rates for locally and regionally sourced food. It also redirects unexpended CT Grown for CT Kids Grant Program funds to the new program ([PA 23-167](#), §§ 26 & 27, effective July 1, 2023).

## ***Nuisance Wildlife***

A new law allows farmers experiencing crop, livestock, or apiary damage caused by nuisance wildlife to get a permit from the Department of Energy and Environmental Protection (DEEP) to take (e.g., capture, trap, or kill) the wildlife if reasonable nonlethal methods (e.g., electric fencing, animal guardians, or fortified structures) failed to prevent damage. DEEP must specify in the permit the means, methods, and times for taking the nuisance wildlife ([PA 23-77](#), § 1, effective October 1, 2023).

## ***Small-Scale Aquaculture Operations***

Under a new law, the DoAg commissioner must encourage the growth of small-scale aquaculture operations and may lease shellfish grounds to them. A “small-scale aquaculture operation” is an aquaculture operation that (1) operates in 150 acres or less of shellfish grounds or (2) has operated to produce shellfish for four or fewer years ([PA 23-184](#), § 11, effective upon passage).

## ***Solar Facility Decommissioning Bond***

The legislature passed a new law prohibiting the Connecticut Siting Council from approving a solar photovoltaic facility of at least two-megawatt capacity on prime farmland or core forest without the project applicant providing a bond to cover the costs of decommissioning the facility and restoring the farmland so that it is suitable for farming ([PA 23-163](#), effective upon passage).

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