

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO SENATE BILL NO. 672

Sponsor:

Printer's No. 735

1 Amend Bill, page 1, line 7, by inserting after "animals,"
2 for exclusions,

3 Amend Bill, page 1, line 8, by inserting after "for" where it
4 occurs the first time

5 use of drugs by humane societies and animal shelters;
6 providing for enforcement; and further providing for

7 Amend Bill, page 1, lines 8 and 9, by striking out "; and
8 providing for local law" in line 8 and "enforcement" in line 9

9 Amend Bill, page 1, line 12, by striking out "Section 1" and
10 inserting

11 Sections 1 and 4

12 Amend Bill, page 1, line 14, by striking out "is" and
13 inserting

14 are

15 Amend Bill, page 2, by inserting between lines 1 and 2

16 Section 4. Exclusions.

17 (a) General.--This act shall not apply to activity
18 undertaken in a normal agricultural operation.

19 (b) Specific.--Sections 2 and 3 of this act shall not apply
20 to:

21 (1) a medical school [or];

22 (2) a school of veterinary medicine [or];

23 (3) a research institution affiliated with a hospital or
24 university[.]; or

25 (4) a research facility registered and inspected under
26 the Animal Welfare Act (Public Law 89-544, 7 U.S.C. § 2131 et
27 seq.).

28 (c) Definition.--As used in this section, the term "normal
29 agricultural operation" has the meaning given in section 2 of

1 the act of June 10, 1982 (P.L.454, No.133), entitled "An act
2 protecting agricultural operations from nuisance suits and
3 ordinances under certain circumstances."

4 Amend Bill, page 3, by inserting between lines 23 and 24

5 Section 2.1. Section 6 of the act is amended to read:

6 Section 6. Humane societies' and animal shelters' use of drugs.

7 (a) Limited license.--[On and after the effective date of
8 this act, a]

9 (1) A humane society organization or an animal control
10 organization may apply to the [Pennsylvania] State Board of
11 Pharmacy for [registration] a limited license pursuant to the
12 applicable law for the sole purpose of being authorized to
13 purchase, possess and administer [sodium pentobarbital] drugs
14 approved for euthanasia under subsection (c) to destroy
15 injured, sick, homeless or unwanted domestic [pet] animals. A
16 limited license may be issued by the [board] State Board of
17 Pharmacy to [eligible] applicants that meet the eligibility
18 criteria set by the State Board of Pharmacy. [Any agency so
19 registered]

20 (2) An organization licensed under paragraph (1) shall
21 not permit a person to administer [sodium pentobarbital]
22 drugs approved for euthanasia under subsection (c) unless
23 [such person has demonstrated adequate knowledge of the
24 potential hazards and proper techniques to be used in
25 administering this drug.] that person holds a current
26 euthanasia technician license under subsection (d).

27 (3) Notwithstanding any other provision of this act, if
28 the Department of Agriculture suspends or revokes an
29 organization's kennel license under the act of December 7,
30 1982 (P.L.784, No.225), known as the Dog Law, the
31 organization's limited license to purchase, possess and
32 administer drugs approved for euthanasia under this section
33 shall be deemed revoked.

34 (b) Regulation and enforcement.--

35 (1) The [Pennsylvania Department of Agriculture] State
36 Board of Pharmacy, in consultation with the department, shall
37 regulate and enforce the provisions of [this section]
38 subsection (a).

39 (2) To implement this subsection, the department and the
40 State Board of Pharmacy shall each:

41 (i) issue a statement of policy within 120 days of
42 the effective date of this paragraph; and

43 (ii) promulgate regulations within two years of the
44 effective date of this paragraph.

45 (c) Approval.--The State Board of Veterinary Medicine shall
46 approve drugs to be used for euthanasia. The State Board of
47 Veterinary Medicine shall regulate and enforce the provisions of
48 this subsection by:

49 (1) issuing a statement of policy within 120 days of the

1 effective date of this subsection; and

2 (2) promulgating regulations within two years of the
3 effective date of this subsection.

4 (d) Euthanasia technicians.--

5 (1) The State Board of Veterinary Medicine shall
6 determine the regulation and discipline of euthanasia
7 technicians by:

8 (i) issuing a statement of policy within 120 days of
9 the effective date of this subsection; and

10 (ii) promulgating regulations within two years of
11 the effective date of this subsection.

12 (2) The State Board of Veterinary Medicine may issue a
13 euthanasia technician license to an applicant who satisfies
14 all of the following subparagraphs:

15 (i) Meets the eligibility criteria set forth by the
16 board.

17 (ii) Demonstrates adequate knowledge of the
18 potential hazards and proper techniques to be used in
19 administration of euthanasia drugs by satisfying one of
20 the following clauses:

21 (A) Successfully completes a euthanasia
22 technician certification course, including at least
23 14 hours of instruction, which is approved by:

24 (I) the National Animal Control Association;

25 (II) the American Humane Association; or

26 (III) the Humane Society of the United
27 States.

28 (B) Is a euthanasia technician registered or
29 licensed under the laws of another state or territory
30 of the United States which has requirements
31 substantially similar to the requirements of this
32 section and presents satisfactory proof to the board
33 of being engaged in the practice of euthanasia for a
34 period of at least one year out of the past five
35 years.

36 (C) Meets other requirements established by the
37 State Board of Veterinary Medicine.

38 (3) The State Board of Veterinary Medicine shall
39 regulate and enforce the provisions of this subsection.

40 (e) Cooperation.--For purposes of administration and
41 enforcement of subsections (a) and (c), the State Board of
42 Pharmacy and the State Board of Veterinary Medicine may, by
43 agreement with the department, designate the department to act
44 as their authorized agent for the limited purposes of inspecting
45 and monitoring humane society organizations and animal control
46 organizations, and persons who euthanize animals on behalf of
47 these organizations, for compliance with the applicable
48 requirements of those subsections and their implementing
49 regulations.

50 Amend Bill, page 3, line 25, by striking out "Local law

1 enforcement" and inserting

2 Enforcement

3 Amend Bill, page 3, line 26, by striking out "A local law
4 enforcement agency" and inserting

5 The Department of Agriculture

6 Amend Bill, page 3, line 30, by striking out all of said line
7 and inserting

8 (a) Destruction of animals.--Any person or organization
9 found guilty of violating

10 Amend Bill, page 4, line 6, by striking out all of said line
11 and inserting

12 (b) Other provisions.--Any person or organization found
13 guilty of violating

14 Amend Bill, page 4, by inserting between lines 11 and 12

15 (c) Disposition of fines.--Fines collected under this
16 section shall be deposited into the Dog Law Restricted Account.

17 Amend Bill, page 4, line 12, by striking out "60" and
18 inserting

19 180