

February 2, 2009

H 27. REGULATE EUTHANASIA OF ANIMALS. Filed 2/2/09. *TO REGULATE THE EUTHANASIA OF ANIMALS AND TO PROHIBIT SPECIFIED METHODS OF EUTHANASIA OF ANIMALS.*

Enacts a new GS 19A-26.1, which applies to the euthanizing or putting to death of animals (1) in possession or custody of an animal shelter; (2) in possession or custody of a person providing foster care at the request of an animal shelter, which previously possessed the animal; and (3) removed from an animal shelter or foster care for the purpose of being euthanized or put to death. Prohibits the following methods of euthanasia for animals under the section: (1) intracardial injection or heartstick; (2) use of succinylcholine chloride, curare, curariform mixtures, or any neuromuscular blocking agent; (3) electrocution; (4) blow to the head by metal bolt or other instrument; (5) drowning; and (6) use of a firearm (except in cases of emergency in which an animal presents an immediate danger to a human or other animal). Provides that livestock may be put to death by an approved method under the federal Humane Slaughter Act.

Effective January 1, 2011, enacts two new subsections in GS 19A-26.1 to do the following: (1) require that euthanasia of dogs, cats, including feral cats, or other companion animals be limited to a lethal injection of sodium pentobarbital, or its derivative, or other pharmaceutical approved for euthanasia by injection by the American Veterinary Medical Association or the Humane Society of the US, using a procedure that results in rapid consciousness and death, with anaesthetization prior to, or concurrently with the receipt of the lethal injection and (2) allow the use of carbon monoxide gas when wild animals are put to death if the operator of an animal shelter determines euthanasia by lethal injection would risk harm to a human or other animal, with the clarification that this subsection does not apply to wild animals that have been domesticated and treated as pets. Also effective January 1, 2011, adds the use of carbon monoxide, carbon dioxide, or other gas to the list of prohibited methods of euthanasia. Makes conforming changes.

Amends GS 19A-24 to modify the rules to be adopted by the Board of Agriculture regulating euthanasia of animals. Adds that the rules apply to the euthanasia of animals in the possession, custody, or *control* of any person required to obtain a certificate of registration under GS 19A-26 (was, this Article). Provides that the rules promulgated under the current statutory guidelines must be consistent with methods approved by the American Veterinary Medical Association, the Humane Society of the US, or the American Humane Association and are effective until January 1, 2011. After that date, the rules must be consistent with the restrictions on euthanasia contained in GS 19A-26.1 and address the anaesthetization of animals prior to, or concurrently with, euthanasia by injection. Makes a clarifying change that the rules require that when the gas method of euthanasia is used (was, if approved), only commercially compressed *manufactured* carbon monoxide gas is approved for use. Repeals GS 19A-23(9), which defines *euthanasia* as the humane destruction of an animal accomplished by a method that involves rapid unconsciousness and immediate death or by a method that involves anesthesia, produced by an agent which causes painless loss of consciousness, and death during such loss of consciousness.

Makes technical and conforming changes to GS 130A-192. Effective October 1, 2009, unless otherwise noted.

Intro. by Tarleton.

GS 19A, 130A

May 6, 2009

H 27. REGULATE EUTHANASIA OF ANIMALS. Filed 2/2/09. House committee substitute makes the following changes to 1st edition. Rewrites amendment to GS 19A-24(5) to allow the euthanasia of specified animals by a method and delivery of method approved by the American Veterinary Medical Association only if applicable statute and rules are silent as to procedure for euthanasia. If gas euthanasia is approved, rules must require that only commercially compressed carbon monoxide gas *in containers* is approved. Rewrites new GS 19A-26.1 regarding euthanasia of shelter animals to require that euthanasia must be accomplished only by a licensed veterinarian, a certified euthanasia technician, or a probationary euthanasia technician under the direct supervision of a licensed veterinarian or certified euthanasia technician using (a) intravenous injection of a lethal dose of sodium pentobarbital or its equivalent, (b) intraperitoneal

injection of a lethal dose of sodium pentobarbital or its equivalent, or (c) carbon monoxide gas. Requires shelters to keep a log that includes the method of euthanasia, who chose the method of euthanasia, and the basis for choosing the method. Amends GS 130A-192 to require that the disposal of a dog or cat not wearing a required rabies vaccination tag and is not reclaimed by its owner during the impoundment period must follow the following sequence: (1) be returned to the owner, (2) adopted by a new owner if the animal cannot be returned to the owner, (3) sold to institutions in North Carolina registered under the Federal Animal Welfare Act if the animal cannot be returned to the owner or adopted by a new owner, and (4) be put to death only if none of the preceding options is possible. Makes act effective October 1, 2010.