

By: Representatives Bondurant (By Request),
Reynolds

To: Agriculture

HOUSE BILL NO. 1247

1 AN ACT TO PROVIDE FOR CERTIFICATION OF ANIMAL EUTHANASIA
2 TECHNICIANS AND AUTHORIZATION TO USE CERTAIN CONTROLLED SUBSTANCES
3 FOR HUMANE DESTRUCTION OF ANIMALS; TO AMEND SECTION 97-41-3,
4 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT LAW ENFORCEMENT
5 OFFICERS, ANIMAL CONTROL OFFICERS, VETERINARIANS AND CERTAIN OTHER
6 AGENTS SHALL NOT BE HELD LIABLE FOR THE GOOD FAITH KILLING OF
7 ANIMALS; AND FOR RELATED PURPOSES.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

9 **SECTION 1.** (1) For the purposes of this section, the
10 following terms shall have the meaning ascribed herein, unless the
11 context shall indicate otherwise:

12 (a) "Certified animal control agency" means a county or
13 municipal animal shelter, dog pound or animal control agency,
14 private humane society, state, county or municipal law enforcement
15 agency, or any combination thereof, which temporarily houses
16 stray, unwanted or injured animals and which is certified in
17 accordance with the provisions of this section.

18 (b) "Certified animal euthanasia technician (CAET)"
19 means a person who is instructed and authorized by the board in
20 methods of humanely euthanizing animals by injecting lethal drugs,
21 in proper security precautions and in proper record keeping and
22 who is employed by a certified animal control agency that is
23 authorized by the Mississippi Board of Veterinary Medicine for
24 such use.

25 (c) "Sodium pentobarbital" means a compound prepared or
26 purchased solely as a euthanasia solution for animals.

27 (d) "Board" means the Mississippi Board of Veterinary
28 Medicine.

29 (2) The Mississippi Board of Veterinary Medicine, upon
30 submission of a complete application and payment fee established
31 by the board, shall issue to any animal control agency which it
32 determines to be qualified, a certificate authorizing the agency
33 to apply to the Federal Drug Enforcement Agency, including any
34 successor entity, for a restricted controlled substance
35 registration certificate for the purchase, possession and use of
36 sodium pentobarbital as authorized by the board for administration
37 by a certified animal euthanasia technician to euthanize injured,
38 sick or abandoned animals.

39 (3) The Mississippi Board of Veterinary Medicine, upon
40 submission of a complete application and payment fee established
41 by the board, shall issue to any person whom it determines to be
42 qualified, a certificate for such person to function as a
43 certified animal euthanasia technician.

44 (4) Euthanasia of animals in a certified animal control
45 agency may be performed by a licensed veterinarian, a certified
46 veterinary technician employed by a licensed veterinarian or
47 animal control agency or a certified animal euthanasia technician
48 as provided by this section. A certified animal control agency
49 which employs a certified animal euthanasia technician may
50 purchase, possess and administer sodium pentobarbital which the
51 board may approve for the euthanasia of animals. Sodium
52 pentobarbital approved by the board shall be the only drug used
53 for the euthanasia of animals in a certified animal control
54 agency.

55 (5) Certified animal control agencies and certified animal
56 euthanasia technicians shall be required to renew their
57 certificates at such intervals, upon such conditions and upon the
58 payment of such fees as may be established by the board.

59 (6) The regulations and curriculum for such certification
60 shall be instituted by the Mississippi Board of Veterinary

61 Medicine with the authority to certify, set fees, discipline and
62 revoke the certification.

63 **SECTION 2.** Section 97-41-3, Mississippi Code of 1972, is
64 amended as follows:

65 97-41-3. Any law enforcement officer, animal control
66 officer, agent of a society for the prevention of cruelty to
67 animals or veterinarian may kill, or cause to be killed, any
68 animal found neglected or abandoned, if in the opinion of three
69 (3) respectable citizens it is injured or diseased past reasonable
70 recovery efforts, or by age has become debilitated. The law
71 enforcement officers, animal control officers, agents or
72 veterinarians described herein who act in good faith shall not be
73 held liable either criminally or civilly for such action.

74 **SECTION 3.** This act shall take effect and be in force from
75 and after July 1, 2004.