

Introduced by Committee on Agriculture and Forestry

Date:

Subject: Crimes; animal cruelty; law enforcement; trainings

Statement of purpose of bill as introduced: This bill proposes to amend the list of individuals authorized to investigate cases of animal cruelty; require humane officers to receive trainings approved by the Animal Cruelty Investigation Advisory Board; require the Board to maintain an index of humane officers who have received the trainings; and allow the Board to create refresher training requirements for humane officers.

An act relating to animal cruelty investigation response and training

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 13 V.S.A. § 351 is amended to read:

§ 351. DEFINITIONS

As used in this chapter:

(1) “Animal” means all living sentient creatures, not human beings.

(2) “Secretary” means the Secretary of Agriculture, Food and Markets.

(3) “Horse” means the entire family of equidae.

(4) “Humane officer” or “officer” means:

(A) any law enforcement officer as defined in 23 V.S.A. § 4(11)(A);

~~auxiliary State Police officers; deputy game wardens; humane society officer,~~

~~employee, or agent; or investigator employed by the Office of the Attorney
General or State’s Attorney; or~~

(B) an individual who has received the training required by section
356 of this title who is:

(i) a designated humane society employee; or

(ii) an animal control officer appointed by the legislative body of a
municipality ~~local board of health officer or agent; or any officer authorized to
serve criminal process.~~

(5) “Humane society” or “society for prevention of cruelty to animals”
~~means the Vermont Humane Federation, Inc., or its successor, or any
incorporated humane society that, through its agents, has the lawful authority
to interfere with acts of cruelty to animals~~ means a private, nonprofit animal
care agency registered and in good standing with the Vermont Secretary of
State.

* * *

Sec. 2. 13 V.S.A. § 356 is amended to read:

§ 356. HUMANE OFFICER REQUIRED TRAINING; AUTHORIZATION
TO PERFORM DUTIES

(a) All humane officers as defined in subdivision 351(4)(B) of this title
~~shall complete a certification program on animal cruelty investigation training
as developed and approved by the Animal Cruelty Investigation Advisory~~

1 ~~Board~~ the animal cruelty response training as required by 20 V.S.A. § 2365b in
2 order to serve in the capacity of a humane officer.

3 (b) A humane officer as defined in subdivision 351(4)(B) shall be
4 authorized to serve as a humane officer if the humane officer is employed by a
5 humane society or a municipality and has completed the trainings as required
6 by this section and 20 V.S.A. § 2365b. Upon termination of employment from
7 a humane society or municipality, the person shall no longer be authorized to
8 perform the legal functions of a humane officer.

9 (c) The Animal Cruelty Investigation Advisory Board shall keep and at
10 least annually update an index of individuals who have completed the animal
11 cruelty response training as required by this section and by 20 V.S.A. § 2365b.

12 Sec. 3. 20 V.S.A. § 2365b is amended to read:

13 § 2365b. ANIMAL CRUELTY RESPONSE TRAINING

14 (a) As part of basic training in order to become certified as a Level II and
15 Level III law enforcement officer, a person shall receive a ~~two-hour~~ training
16 module on animal cruelty investigations as developed and approved by the
17 Animal Cruelty Investigation Advisory Board and approved and administered
18 by the Vermont Criminal Justice Training Council and the Animal Cruelty
19 Investigation Advisory Board.

20 (b) On or before December 31, 2022, humane officers as defined by 13
21 V.S.A. § 351(4)(B) shall complete an animal cruelty response training as

1 developed and approved by the Animal Cruelty Investigation Advisory Board
2 and approved and administered by the Vermont Criminal Justice Training
3 Council. The Council shall provide the training only to designated humane
4 society employees and animal control officers appointed by the legislative
5 body of a municipality, and other humane officers as defined by 13 V.S.A.
6 § 351(4). The trainings shall be conducted on a periodic basis by qualified
7 instructors as determined by the Animal Cruelty Investigation Advisory Board.

8 (c) The Animal Cruelty Investigation Advisory Board may elect to require
9 that humane officers as defined by 13 V.S.A. § 351(4)(B) complete a refresher
10 course on the training required by this section on a periodic basis. Such
11 refresher training shall be developed and approved by the Animal Cruelty
12 Investigation Advisory Board and approved and administered by the Vermont
13 Criminal Justice Training Council.

14 (d) On or before January 1, 2023 and annually thereafter, the Criminal
15 Justice Training Council shall provide the Animal Cruelty Investigation
16 Advisory Board with a list of the individuals that completed trainings as
17 required by this section.

18 Sec. 4. EFFECTIVE DATE

19 This act shall take effect on July 1, 2020.