

1 Introduced by Committee on Agriculture and Forestry

2 Date:

3 Subject: Crimes; animal cruelty; law enforcement; trainings

4 Statement of purpose of bill as introduced: This bill proposes to amend the list

5 of individuals authorized to investigate cases of animal cruelty; require

6 humane officers to receive trainings approved by the Animal Cruelty

7 Investigation Advisory Board; require the Board to maintain an index of

8 humane officers who have received the trainings; and allow the Board to create

9 refresher training requirements for humane officers.

10 An act relating to animal cruelty investigation response and training

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

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

13 § 351. DEFINITIONS

14 As used in this chapter:

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

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

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

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

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

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

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

3 (B) an individual who has received the training required by section  
4 356 of this title who is:

5 (i) a designated humane society employee; or

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

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

15 \* \* \*

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

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

19 (a) All humane officers as defined in subdivision 351(4)(B) of this title  
20 ~~shall complete a certification program on animal cruelty investigation training~~  
21 ~~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.