

1 H.421

2 Introduced by Committee on Agriculture and Forestry

3 Date:

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

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

11 An act relating to animal cruelty investigation response and training

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

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

14 § 351. DEFINITIONS

15 As used in this chapter:

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

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

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

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

1           (A) any law enforcement officer as defined in 23 V.S.A. § 4(11)(A);  
2           ~~auxiliary State Police officers; deputy game wardens; humane society officer;~~  
3           ~~employee, or agent; or investigator employed by the Office of the Attorney~~  
4           ~~General or State’s Attorney; or~~

5           (B) an individual who has received the training required by section  
6           356 of this title who is:

7                   (i) a designated humane society employee; or

8                   (ii) an animal control officer appointed by the legislative body of  
9           ~~a municipality; local board of health officer or agent; or any officer authorized~~  
10           ~~to serve criminal process who is authorized by the legislative body to perform~~  
11           the duties and functions of a humane officer.

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

17   \* \* \*

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

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

4 (a) All humane officers as defined in subdivision 351(4)(B) of this title  
5 shall complete a ~~certification program on animal cruelty investigation training~~  
6 ~~as developed and approved by the Animal Cruelty Investigation Advisory~~  
7 ~~Board~~ the animal cruelty response training as required by 20 V.S.A. § 2365b in  
8 order to serve in the capacity of a humane officer.

9 (b) A humane officer as defined in subdivision 351(4)(B) shall be  
10 authorized to serve as a humane officer if the humane officer is employed by a  
11 humane society or a municipality and has completed the trainings as required  
12 by this section and by 20 V.S.A. § 2365b. Upon termination of employment  
13 from the humane society or municipality through which they were authorized  
14 to serve, the person shall no longer be authorized to perform the legal  
15 functions of a humane officer.

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

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

20 § 2365b. ANIMAL CRUELTY RESPONSE TRAINING

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

7       (b) On or before December 31, 2023, humane officers as defined in  
8       13 V.S.A. § 351(4)(B) shall complete an animal cruelty response training as  
9       developed and approved by the Animal Cruelty Investigation Advisory Board  
10      and approved and administered by the Vermont Criminal Justice Council. The  
11      Council shall provide the training only to designated humane society  
12      employees, animal control officers appointed by the legislative body of a  
13      municipality, and other humane officers as defined in 13 V.S.A. § 351(4). The  
14      trainings shall be conducted on a periodic basis by qualified instructors as  
15      determined by the Animal Cruelty Investigation Advisory Board.

16      (c) The Animal Cruelty Investigation Advisory Board may elect to require  
17      that humane officers as defined in 13 V.S.A. § 351(4)(B) complete a refresher  
18      course on the training required by this section on a periodic basis. Such  
19      refresher training shall be developed and approved by the Animal Cruelty  
20      Investigation Advisory Board and approved and administered by the Vermont  
21      Criminal Justice Council.

1        (d) On or before January 1, 2024 and annually thereafter, the Vermont  
2        Criminal Justice Council shall provide the Animal Cruelty Investigation  
3        Advisory Board with a list of the individuals that completed the trainings as  
4        required by this section.

5        Sec. 4. EFFECTIVE DATE

6        This act shall take effect on July 1, 2021.