

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1329 Session of
2011

INTRODUCED BY DINNIMAN, ALLOWAY, ARGALL, BAKER, BLAKE, BOSCOLA,
BREWSTER, EICHELBERGER, ERICKSON, FARNESE, FERLO, WOZNIAK,
YUDICHAK, GREENLEAF, PILEGGI, ORIE, SMUCKER, FONTANA, HUGHES,
KASUNIC, KITCHEN, McILHINNEY, PICCOLA, RAFFERTY, SOLOBAY,
STACK, SCHWANK, TARTAGLIONE, TOMLINSON, WARD, WASHINGTON,
M. WHITE, WILLIAMS, MENSCH, LEACH AND BROWNE,
NOVEMBER 9, 2011

AS AMENDED ON THIRD CONSIDERATION, MARCH 27, 2012

AN ACT

1 Amending the act of December 22, 1983 (P.L.303, No.83), entitled
2 "An act relating to destruction of pet animals; prohibiting
3 certain methods of destruction; providing for a limited
4 license to dispense certain drugs; providing for regulation
5 and enforcement; providing for use of certain surplus funds;
6 and providing penalties," ~~adding definitions; further~~ ←
7 ~~providing for prohibited means of destroying animals, for~~
8 ~~methods of destruction of animals, for exclusions, for use of~~
9 ~~carbon monoxide systems and for use of drugs by humane~~
10 ~~societies and animal shelters; providing for enforcement;~~
11 ~~further providing for penalties; and making editorial changes~~ ←
12 FURTHER PROVIDING FOR PROHIBITED MEANS OF DESTRUCTION OF
13 ANIMALS, FOR METHODS OF DESTRUCTION OF ANIMALS, FOR
14 EXCLUSIONS AND FOR USE OF CARBON MONOXIDE SYSTEMS; PROVIDING
15 FOR DISCLOSURE; AND FURTHER PROVIDING FOR PENALTY.

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 ~~Section 1. The act of December 22, 1983 (P.L.303, No.83),~~ ←
19 ~~referred to as the Animal Destruction Method Authorization Law,~~
20 ~~is amended by adding a chapter to read:~~

21 CHAPTER 1

22 PRELIMINARY PROVISIONS

~~Section 101. Short title.~~

~~This act shall be known and may be cited as the Animal
Destruction Method Authorization Law.~~

~~Section 102. Definitions.~~

~~The following words and phrases when used in this act shall
have the meanings given to them in this section unless the
context clearly indicates otherwise:~~

~~"Acceptable agents and methods of euthanasia." The
chemicals, agents and methods published as acceptable in the
most current version of the American Veterinary Medical
Association's Guidelines on Euthanasia. The term does not
include conditionally acceptable or unacceptable chemicals,
agents and methods of euthanasia as published in the most
current version of the American Veterinary Medical Association's
Guidelines on Euthanasia.~~

~~"Board." The State Board of Veterinary Medicine.~~

~~"Department." The Department of Agriculture of the
Commonwealth.~~

~~"Normal agricultural operation." As defined under section 2
of the act of June 10, 1982 (P.L.454, No.133), referred to as
the Right to Farm Law.~~

~~"Small domestic animals." Cats, dogs, rabbits, mice, rats,
hamsters, ferrets, birds, reptiles and amphibians.~~

~~Section 2. The act is amended by adding a chapter heading to
read:~~

CHAPTER 3

METHODOLOGY

~~Section 3. Sections 1, 2, 3 and 4 of the act are renumbered
and amended to read:~~

~~Section [1] 301. Prohibited means of destruction of animals.~~

1 ~~No animal shall be destroyed by means of [a] the following:~~

2 ~~(1) A high altitude decompression chamber or~~
3 ~~decompression device.~~

4 ~~(2) Unacceptable agents and methods published in the~~
5 ~~most current version of the American Veterinary Medical~~
6 ~~Association's Guidelines on Euthanasia.~~

7 ~~Section [2] 302. Methods of destruction of animals and~~
8 ~~exclusive method for small domestic animals.~~

9 ~~(a) Required method. The required method of destruction~~
10 ~~shall be by the administration of an overdose of a barbiturate,~~
11 ~~barbiturate combinations, drug or drug combinations approved for~~
12 ~~this purpose by the Federal Drug Administration and in~~
13 ~~accordance with guidelines established by the [Pennsylvania~~
14 ~~Department of Agriculture] department.~~

15 ~~(b) Authorized method. Nothing in this act shall prevent a~~
16 ~~person or humane society organization from destroying a pet~~
17 ~~animal by means of firearms.~~

18 ~~(c) Small domestic animals. The use of sodium pentobarbital~~
19 ~~or a derivative of it shall be the exclusive method for~~
20 ~~euthanasia of small domestic animals. In the event sodium~~
21 ~~pentobarbital or a derivative of it becomes unavailable do to~~
22 ~~lack of manufacturer supply, the board may issue a waiver of the~~
23 ~~requirements of this section which would permit the use of any~~
24 ~~other acceptable injectable agents or method of euthanasia.~~

25 ~~(d) Exception for dangerous small domestic animals.~~
26 ~~Notwithstanding subsections (a) and (c), the following apply in~~
27 ~~situations with a dangerous small domestic animal:~~

28 ~~(1) In cases where a small domestic animal under the~~
29 ~~care and control of an animal shelter or a humane society~~
30 ~~organization poses a risk or danger to a veterinarian or~~

~~1 euthanasia technician performing euthanasia or to personnel~~
~~2 of the animal shelter or humane society organization, such~~
~~3 veterinarian or euthanasia technician may use any other~~
~~4 acceptable agents and methods of euthanasia, except carbon~~
~~5 monoxide from any source.~~

~~6 (2) The following persons, who in the performance of~~
~~7 their duties of employment have the responsibility for the~~
~~8 care and control of small domestic animals, are subject to~~
~~9 this subsection:~~

~~10 (i) Veterinarians.~~

~~11 (ii) Euthanasia technicians.~~

~~12 (iii) Personnel of a humane society organization.~~

~~13 (iv) Personnel of an animal control organization.~~

~~14 (v) Personnel of an animal shelter.~~

~~15 (vi) Animal control officers.~~

~~16 Section [3] 303. Administration of drugs.~~

~~17 The barbiturates, barbiturate combinations or other Federal~~
~~18 Drug Administration approved drugs or drug combinations shall be~~
~~19 administered by intravenous, intraperitoneal or intracardiac~~
~~20 injections or orally by a licensed veterinarian or as set forth~~
~~21 in section [6] 305.~~

~~22 Section [4] 304. Exclusions.~~

~~23 (a) General rule. This act shall not apply to activity~~
~~24 undertaken in a normal agricultural operation.~~

~~25 (b) Specific entities. The following exclusions apply:~~

~~26 (1) Sections [2 and 3 of this act] 302 and 303 shall not~~
~~27 apply to:~~

~~28 (i) a medical school [or];~~

~~29 (ii) a school of veterinary medicine [or];~~

~~30 (iii) a research institution affiliated with a~~

1 ~~hospital or university[.]; or~~

2 ~~(iv) A research facility that is one of the~~
3 ~~following:~~

4 ~~(A) Registered and inspected under the Animal~~
5 ~~Welfare Act (Public Law 89-544, 7 U.S.C. § 2131 et~~
6 ~~seq.).~~

7 ~~(B) Subject to the Public Health Service Policy~~
8 ~~on the Humane Care and Use of Laboratory Animals~~
9 ~~under the Public Health Service Act (58 Stat. 682, 42~~
10 ~~U.S.C. § 201 et seq.).~~

11 ~~(C) Subject to the provisions of 21 CFR Pt. 58~~
12 ~~(relating to good laboratory practice for nonclinical~~
13 ~~laboratory studies) under the Food, Drug and Cosmetic~~
14 ~~Act (52 Stat. 1040, 21 U.S.C. § 301 et seq.) or the~~
15 ~~Public Health Service Act.~~

16 ~~(2) Notwithstanding sections 302 and 303, a veterinarian~~
17 ~~in a private clinical practice may use any acceptable agent~~
18 ~~and method of euthanasia, except carbon monoxide from any~~
19 ~~source.~~

20 ~~Section 4. Section 5 of the act is repealed:~~

21 ~~{Section 5. Use of carbon monoxide systems.~~

22 ~~(1) Carbon monoxide gas may be used to destroy animals~~
23 ~~seven weeks of age or older.~~

24 ~~(2) Chloroform, ether, halothane or fluothane may be~~
25 ~~used to destroy animals under seven weeks of age when~~
26 ~~administered in an airtight chamber or transparent plastic~~
27 ~~bag providing for segregation of animals by size and age~~
28 ~~which is capable of permitting unobstructed visual~~
29 ~~observation and which does not permit direct contact with any~~
30 ~~device containing chloroform.~~

~~(3) Carbon monoxide gas systems shall consist of and be equipped with:~~

- ~~(i) A tightly enclosed cabinet for the purpose of containing the animals during the destruction process.~~
- ~~(ii) Internal lighting and a window for direct visual observation in the cabinet at all times.~~
- ~~(iii) A gas generation capable of achieving a concentration of carbon monoxide gas of at least 5% throughout the cabinet.~~
- ~~(iv) A gauge or gas concentration indicator or recording device.~~
- ~~(v) A means of separating animals from each other within the cabinet, if the cabinet is of sufficient size to facilitate more than one animal.~~
- ~~(vi) A means of fully removing the carbon monoxide gas from the cabinet upon completion of the destruction process.~~
- ~~(vii) If an internal combustion engine is used, a means of cooling the gas to a temperature not to exceed 115 degrees Fahrenheit at the point of entry into the cabinet and not to exceed 90 degrees Fahrenheit at any point in the cabinet as determined by temperature gauges permanently installed at point of entry and inside the cabinet.~~
- ~~(viii) If the gas is generated by an internal combustion engine, a means of removing or filtering out all noxious fumes, irritating acids and carbon particles from the gas before it enters the cabinet.~~
- ~~(ix) If an internal combustion engine is used, a means of substantially deadening the sound and vibration~~

1 ~~transmission from the engine to the cabinet, by placing~~
2 ~~them in separate rooms or soundproof compartments~~
3 ~~connecting them with flexible tubing or pipe at least 24-~~
4 ~~inches in length, so that the noise level within the~~
5 ~~cabinet shall not exceed 70 decibels.~~

6 ~~(x) If an internal combustion engine is used, a~~
7 ~~means for exhausting the internal combustion engine gas~~
8 ~~during the period of engine warmup.~~

9 ~~(4) Upon completion of the destruction process, animals~~
10 ~~shall not be removed from the cabinet until the carbon-~~
11 ~~monoxide gas has been fully removed from the cabinet.]~~

12 ~~Section 5. Section 6 of the act is Renumbered and amended to~~
13 ~~read:~~

14 ~~Section [6] 305. Humane societies' and animal shelters' use of~~
15 ~~drugs.~~

16 ~~(a) Limited license. [On and after the effective date of~~
17 ~~this act, a] The following apply to humane societies and animal~~
18 ~~shelters:~~

19 ~~(1) A humane society organization or [an animal control~~
20 ~~organization] animal shelter may apply to the [Pennsylvania~~
21 ~~State Board of Pharmacy for registration pursuant to the~~
22 ~~applicable law for the sole purpose of being authorized to~~
23 ~~purchase, possess and administer sodium pentobarbital to~~
24 ~~destroy injured, sick, homeless or unwanted domestic pet~~
25 ~~animals. A limited license may be issued by the board to~~
26 ~~eligible applicants. Any agency so registered shall not~~
27 ~~permit a person to administer sodium pentobarbital unless~~
28 ~~such person has demonstrated adequate knowledge of the~~
29 ~~potential hazards and proper techniques to be used in~~
30 ~~administering this drug.] State Board of Veterinary Medicine~~

~~for a limited license pursuant to the applicable law for the sole purpose of being authorized to purchase, possess and administer drugs approved for euthanasia under subsection (c) to destroy injured, sick, homeless or unwanted small domestic animals. A limited license may be issued by the State Board of Pharmacy to applicants that meet the eligibility criteria set by the State Board of Veterinary Medicine.~~

~~(2) An organization licensed under paragraph (1) shall not permit a person to administer drugs approved for euthanasia unless that person holds a current euthanasia technician license under subsection (c).~~

~~(3) Notwithstanding any other provision of this act, if the department suspends or revokes an organization's kennel license under the act of December 7, 1982 (P.L.784, No.225), known as the Dog Law, the organization's limited license to purchase, possess and administer sodium pentobarbital or a derivative of it shall be deemed revoked.~~

~~(b) Regulation and enforcement. The following regulation and enforcement provisions shall apply:~~

~~(1) The [Pennsylvania Department of Agriculture] board shall regulate and enforce the provisions of [this section] subsection (a).~~

~~(2) To implement this subsection, the board shall:~~

~~(i) issue a statement of policy within 120 days of the effective date of this paragraph; and~~

~~(ii) promulgate regulations within one year of the effective date of this paragraph.~~

~~(c) Euthanasia technicians. The following shall apply to euthanasia technicians:~~

~~(1) The board shall determine the regulation and~~

~~discipline of euthanasia technicians by:~~

~~(i) issuing a statement of policy within 120 days of the effective date of this subsection; and~~

~~(ii) promulgating regulations within one year of the effective date of this subsection.~~

~~(2) The board may issue a euthanasia technician license to an applicant who satisfies all of the following:~~

~~(i) Meets the eligibility criteria established by the board, which criteria shall include knowledge of the Commonwealth's law and regulations relating to euthanasia.~~

~~(ii) Demonstrates adequate knowledge of the potential hazards and proper techniques to be used in administration of euthanasia drugs by satisfying all requirements of the board and at least one of the following:~~

~~(A) Successfully completes a euthanasia technician certification course, including at least 14 hours of instruction, which is approved by the board and administered by any of the following providers:~~

~~(I) the National Animal Control Association;~~

~~(II) the American Humane Association;~~

~~(III) the Humane Society of the United States;~~

~~(IV) the Pennsylvania Veterinary Medical Association;~~

~~(V) the University of Pennsylvania School of Veterinary Medicine; or~~

~~(VI) Federated Humane Societies of~~

Pennsylvania.

(B) Is a euthanasia technician registered or
licensed under the laws of another state or territory
of the United States which has requirements
substantially similar to the requirements of this
section and presents satisfactory proof to the board
of being engaged in the practice of euthanasia for a
period of at least one year out of the past five
years.

(C) Meets other requirements established by the
board.

(3) The board shall regulate and enforce the provisions
of this subsection.

(d) Cooperation. For purposes of administration and
enforcement of subsection (a), the board may, by agreement with
the department, designate the department to act as its
authorized agent for the limited purposes of inspecting and
monitoring humane society organizations and animal control
organizations, and persons who euthanize animals on behalf of
these organizations, for compliance with the applicable
requirements and any implementing regulations.

Section 5.1. The act is amended by adding a section to read:
Section 306. Disclosure.

Upon request, any veterinarian, animal shelter or humane
society organization utilizing an euthanasia method for the
destruction of small animals must disclose all methods that are
utilized by the entity.

Section 6. The act is amended by adding a chapter heading to
read:

CHAPTER 5

ADMINISTRATION AND ENFORCEMENT

~~Section 7. Sections 7 and 8 of the act are renumbered to read:~~

~~Section [7] 501. Existing devices.~~

~~Any humane society organization or any other similar organization which, on the effective date of this act, has in its possession a chamber or device, the use of which is prohibited by this act, shall, within 30 days of the effective date of this act, dismantle and render inoperative the chamber or device.~~

~~Section [8] 502. Surplus funds.~~

~~Whenever the Secretary of Agriculture declares that there is a surplus of money in the Dog Law Restricted Account, he may provide payment to those persons who qualify under rules and regulations of the department for reimbursement of losses sustained as a result of compliance with the provisions of this act.~~

~~Section 8. The act is amended by adding a section to read:~~

~~Section 503. Enforcement agencies.~~

~~The department is authorized to conduct investigations and to enforce sections 301, 302, 304 and 305.~~

~~Section 9. Section 9 of the act is renumbered and amended to read:~~

~~Section [9] 504. Penalty.~~

~~(a) Destruction of animals. Any person or organization [found guilty of violating the provisions of this act] that violates section 301 or 302(c) shall be [fined] subject to a fine not to exceed [\$250] \$500 per violation day. Any person or organization that commits a second or subsequent violation of section 301 or 302(c) shall be subject to a fine not to exceed~~

~~\$1,000 per violation day.~~

~~(b) Other provisions. Except as set forth in subsection~~

~~(a):~~

~~(1) Any person or organization that violates this act shall be subject to a fine not to exceed \$350 per violation day.~~

~~(2) Any person or organization that commits a second or subsequent violation of this act shall be subject to a fine not to exceed \$700 per violation day.~~

~~(c) Disposition of fines. Fines collected under this section shall be deposited into the Dog Law Restricted Account.~~

~~Section 10. The act is amended by adding a chapter heading to read:~~

CHAPTER 11

MISCELLANEOUS PROVISIONS

~~Section 11. Sections 10 and 11 of the act are renumbered to read:~~

~~Section [10] 1101. Use of methods of destruction on humans.~~

~~Nothing in this act shall be construed to permit the performance of any methods of destruction provided for herein on any human person.~~

~~Section [11] 1102. Effective date.~~

~~This act shall take effect in six months.~~

~~Section 12. This act shall take effect in 180 days.~~

SECTION 1. SECTIONS 1, 2 AND 4 OF THE ACT OF DECEMBER 22, 1983 (P.L.303, NO.83), REFERRED TO AS THE ANIMAL DESTRUCTION METHOD AUTHORIZATION LAW, ARE AMENDED TO READ:

SECTION 1. PROHIBITED MEANS OF DESTRUCTION OF ANIMALS.

NO ANIMAL SHALL BE DESTROYED BY MEANS OF:

(1) A HIGH ALTITUDE DECOMPRESSION CHAMBER OR



1 DECOMPRESSION DEVICE;i

2 (2) CARBON MONOXIDE GAS; OR

3 (3) CHLOROFORM, ETHER, HALOTHANE OR FLUOTHANE FOR
4 ANIMALS UNDER SEVEN WEEKS OF AGE WHEN ADMINISTERED IN AN
5 AIRTIGHT CHAMBER OR TRANSPARENT PLASTIC BAG.

6 SECTION 2. METHODS OF DESTRUCTION OF ANIMALS.

7 (A) REQUIRED METHOD.--THE REQUIRED METHOD OF DESTRUCTION
8 SHALL BE BY THE ADMINISTRATION OF AN OVERDOSE OF A BARBITURATE,
9 BARBITURATE COMBINATIONS, DRUG OR DRUG COMBINATIONS APPROVED FOR
10 THIS PURPOSE BY THE FEDERAL DRUG ADMINISTRATION [AND IN
11 ACCORDANCE WITH GUIDELINES ESTABLISHED BY THE PENNSYLVANIA
12 DEPARTMENT OF AGRICULTURE].

13 (B) AUTHORIZED METHOD.--NOTHING IN THIS ACT SHALL PREVENT A
14 PERSON OR HUMANE SOCIETY ORGANIZATION FROM DESTROYING A PET
15 ANIMAL BY MEANS OF FIREARMS.

16 SECTION 4. EXCLUSIONS.

17 (A) GENERAL RULE.--THIS ACT SHALL NOT APPLY TO ACTIVITY
18 UNDERTAKEN IN A NORMAL AGRICULTURAL OPERATION. FOR THE PURPOSES
19 OF THIS PARAGRAPH, "NORMAL AGRICULTURAL OPERATION" SHALL BE
20 DEFINED AS IT IS DEFINED UNDER SECTION 2 OF THE ACT OF JUNE 10,
21 1982 (P.L.454, NO.133), REFERRED TO AS THE RIGHT-TO-FARM LAW.

22 (B) SPECIFIC ENTITIES.--SECTIONS 1(2) AND (3), 2 AND 3 OF
23 THIS ACT SHALL NOT APPLY TO:

24 (1) A MEDICAL SCHOOL [OR];

25 (2) A SCHOOL OF VETERINARY MEDICINE [OR];

26 (3) A RESEARCH INSTITUTION AFFILIATED WITH A HOSPITAL OR
27 UNIVERSITY;i OR

28 (4) A RESEARCH FACILITY THAT IS ONE OF THE FOLLOWING:

29 (I) REGISTERED AND INSPECTED UNDER THE ANIMAL

30 WELFARE ACT (PUBLIC LAW 89-544, 7 U.S.C. § 2131 ET SEQ.);

1 (II) SUBJECT TO THE PUBLIC HEALTH SERVICE POLICY ON
2 THE HUMANE CARE AND USE OF LABORATORY ANIMALS UNDER THE
3 PUBLIC HEALTH SERVICE ACT (58 STAT. 682, 42 U.S.C. § 201
4 ET SEQ.); OR

5 (III) SUBJECT TO THE PROVISIONS OF 21 CFR PT. 58
6 (RELATING TO GOOD LABORATORY PRACTICE FOR NONCLINICAL
7 LABORATORY STUDIES) OR ITS SUCCESSOR REGULATION UNDER THE
8 FOOD, DRUG AND COSMETIC ACT (52 STAT. 1040, 21 U.S.C. §
9 301 ET SEQ.) OR THE PUBLIC HEALTH SERVICE ACT.

10 SECTION 2. SECTION 5 OF THE ACT IS REPEALED:

11 [SECTION 5. USE OF CARBON MONOXIDE SYSTEMS.

12 (1) CARBON MONOXIDE GAS MAY BE USED TO DESTROY ANIMALS
13 SEVEN WEEKS OF AGE OR OLDER.

14 (2) CHLOROFORM, ETHER, HALOTHANE OR FLUOTHANE MAY BE
15 USED TO DESTROY ANIMALS UNDER SEVEN WEEKS OF AGE WHEN
16 ADMINISTERED IN AN AIRTIGHT CHAMBER OR TRANSPARENT PLASTIC
17 BAG PROVIDING FOR SEGREGATION OF ANIMALS BY SIZE AND AGE
18 WHICH IS CAPABLE OF PERMITTING UNOBSTRUCTED VISUAL
19 OBSERVATION AND WHICH DOES NOT PERMIT DIRECT CONTACT WITH ANY
20 DEVICE CONTAINING CHLOROFORM.

21 (3) CARBON MONOXIDE GAS SYSTEMS SHALL CONSIST OF AND BE
22 EQUIPPED WITH:

23 (I) A TIGHTLY ENCLOSED CABINET FOR THE PURPOSE OF
24 CONTAINING THE ANIMALS DURING THE DESTRUCTION PROCESS.

25 (II) INTERNAL LIGHTING AND A WINDOW FOR DIRECT
26 VISUAL OBSERVATION IN THE CABINET AT ALL TIMES.

27 (III) A GAS GENERATION CAPABLE OF ACHIEVING A
28 CONCENTRATION OF CARBON MONOXIDE GAS OF AT LEAST 5%
29 THROUGHOUT THE CABINET.

30 (IV) A GAUGE OR GAS CONCENTRATION INDICATOR OR

1 RECORDING DEVICE.

2 (V) A MEANS OF SEPARATING ANIMALS FROM EACH OTHER
3 WITHIN THE CABINET, IF THE CABINET IS OF SUFFICIENT SIZE
4 TO FACILITATE MORE THAN ONE ANIMAL.

5 (VI) A MEANS OF FULLY REMOVING THE CARBON MONOXIDE
6 GAS FROM THE CABINET UPON COMPLETION OF THE DESTRUCTION
7 PROCESS.

8 (VII) IF AN INTERNAL COMBUSTION ENGINE IS USED, A
9 MEANS OF COOLING THE GAS TO A TEMPERATURE NOT TO EXCEED
10 115 DEGREES FAHRENHEIT AT THE POINT OF ENTRY INTO THE
11 CABINET AND NOT TO EXCEED 90 DEGREES FAHRENHEIT AT ANY
12 POINT IN THE CABINET AS DETERMINED BY TEMPERATURE GAUGES
13 PERMANENTLY INSTALLED AT POINT OF ENTRY AND INSIDE THE
14 CABINET.

15 (VIII) IF THE GAS IS GENERATED BY AN INTERNAL
16 COMBUSTION ENGINE, A MEANS OF REMOVING OR FILTERING OUT
17 ALL NOXIOUS FUMES, IRRITATING ACIDS AND CARBON PARTICLES
18 FROM THE GAS BEFORE IT ENTERS THE CABINET.

19 (IX) IF AN INTERNAL COMBUSTION ENGINE IS USED, A
20 MEANS OF SUBSTANTIALLY DEADENING THE SOUND AND VIBRATION
21 TRANSMISSION FROM THE ENGINE TO THE CABINET, BY PLACING
22 THEM IN SEPARATE ROOMS OR SOUNDPROOF COMPARTMENTS
23 CONNECTING THEM WITH FLEXIBLE TUBING OR PIPE AT LEAST 24
24 INCHES IN LENGTH, SO THAT THE NOISE LEVEL WITHIN THE
25 CABINET SHALL NOT EXCEED 70 DECIBELS.

26 (X) IF AN INTERNAL COMBUSTION ENGINE IS USED, A
27 MEANS FOR EXHAUSTING THE INTERNAL COMBUSTION ENGINE GAS
28 DURING THE PERIOD OF ENGINE WARMUP.

29 (4) UPON COMPLETION OF THE DESTRUCTION PROCESS, ANIMALS
30 SHALL NOT BE REMOVED FROM THE CABINET UNTIL THE CARBON

MONOXIDE GAS HAS BEEN FULLY REMOVED FROM THE CABINET.]

SECTION 3. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

SECTION 6.1. DISCLOSURE.

UPON REQUEST, ANY VETERINARIAN, ANIMAL SHELTER OR HUMANE SOCIETY ORGANIZATION UTILIZING AN EUTHANASIA METHOD FOR THE DESTRUCTION OF DOGS OR CATS MUST DISCLOSE ALL METHODS THAT ARE UTILIZED BY THE ENTITY. THE DEPARTMENT SHALL PROMULGATE REGULATIONS REQUIRING THE PUBLIC DISPLAY OF THE INFORMATION DISCLOSED UNDER THIS SECTION.

SECTION 4. SECTION 9 OF THE ACT IS AMENDED TO READ:

SECTION 9. PENALTY.

(A) DESTRUCTION OF ANIMALS.--ANY PERSON OR ORGANIZATION [FOUND GUILTY OF VIOLATING THE PROVISIONS OF THIS ACT] THAT VIOLATES SECTION 1 SHALL BE [FINED] SUBJECT TO A FINE NOT TO EXCEED [\$250] \$500 PER VIOLATION DAY. ANY PERSON OR ORGANIZATION THAT COMMITS A SECOND OR SUBSEQUENT VIOLATION OF SECTION 1 SHALL BE SUBJECT TO A FINE NOT TO EXCEED \$1,000 PER VIOLATION DAY.

(B) OTHER PROVISIONS.--EXCEPT AS SET FORTH IN SUBSECTION (A):

(1) ANY PERSON OR ORGANIZATION THAT VIOLATES THIS ACT SHALL BE SUBJECT TO A FINE NOT TO EXCEED \$350 PER VIOLATION DAY.

(2) ANY PERSON OR ORGANIZATION THAT COMMITS A SECOND OR SUBSEQUENT VIOLATION OF THIS ACT SHALL BE SUBJECT TO A FINE NOT TO EXCEED \$700 PER VIOLATION DAY.

(C) DISPOSITION OF FINES.--FINES COLLECTED UNDER THIS SUBSECTION SHALL BE DEPOSITED INTO THE DOG LAW RESTRICTED ACCOUNT.

SECTION 5. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.