

The Senate Regulated Industries and Utilities Committee offered the following substitute to HB 788:

A BILL TO BE ENTITLED  
AN ACT

To amend Article 1 of Chapter 11 of Title 4 of the Official Code of Georgia Annotated, relating to animal protection, so as to prohibit the use of a gas chamber to euthanize dogs and cats; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article 1 of Chapter 11 of Title 4 of the Official Code of Georgia Annotated, relating to animal protection, is amended by revising Code Section 4-11-5.1, relating to euthanasia of dogs and cats by animal shelters or facilities operated for collection of stray, neglected, abandoned, or unwanted animals, as follows:

"4-11-5.1.

(a) Except as provided in subsection (b) of this Code section, the use of sodium pentobarbital or a derivative of it shall be the exclusive method for euthanasia of dogs and cats by animal shelters or other facilities which are operated for the collection and care of stray, neglected, abandoned, or unwanted animals. A lethal solution shall be used in the following order of preference:

(1) Intravenous injection by hypodermic needle;

(2) Intraperitoneal injection by hypodermic needle; or

(3) ~~Intracardial~~ If the dog or cat is unconscious, intracardial injection by hypodermic needle.

(b) Notwithstanding subsection (a) of this Code section,:

~~(1) A chamber using commercially bottled carbon monoxide gas which was used on July 1, 1990, for euthanasia of dogs and cats by any animal shelter or other facility may continue to be used for such purposes by such animal shelter or facility if such animal shelter or facility notifies the Commissioner of Agriculture, in writing, on or before August 1, 1990, that such a chamber was in use by such animal shelter or facility on July~~

27 ~~1, 1990. However, a chamber which causes a change in body oxygen by means of altering~~  
 28 ~~atmospheric pressure or which is connected to an internal combustion engine and uses~~  
 29 ~~the engine exhaust for euthanasia purposes shall not be permitted under any~~  
 30 ~~circumstances; and~~

31 ~~(2) Any~~ any substance which is clinically proven to be as humane as sodium  
 32 pentobarbital and which has been officially recognized as such by the American  
 33 Veterinary Medical Association may be used in lieu of sodium pentobarbital to perform  
 34 euthanasia on dogs and cats, but succinylcholine chloride, curare, curariform mixtures,  
 35 or any substance which acts as a neuromuscular blocking agent may not be used on a dog  
 36 or cat in lieu of sodium pentobarbital for euthanasia purposes.

37 (c) In addition to the ~~exceptions~~ exception provided for in subsection (b) of this Code  
 38 section, in cases of extraordinary circumstance where the dog or cat poses an extreme risk  
 39 or danger to the veterinarian, physician, or lay person performing euthanasia, such person  
 40 shall be allowed the use of any other substance or procedure that is humane to perform  
 41 euthanasia on such dangerous dog or cat.

42 (d) Under no circumstance shall a chamber using commercially bottled carbon monoxide  
 43 gas or other lethal gas or a chamber which causes a change in body oxygen by means of  
 44 altering atmospheric pressure or which is connected to an internal combustion engine and  
 45 uses the engine exhaust for euthanasia purposes be permitted.

46 ~~(d)~~(e) A dog or cat may be tranquilized with an approved and humane substance before  
 47 euthanasia is performed.

48 ~~(e)~~(f) Euthanasia shall be performed by a licensed veterinarian or physician or a lay person  
 49 who is properly trained in the proper and humane use of a method of euthanasia. Such lay  
 50 person shall perform euthanasia under supervision of a licensed veterinarian or physician.  
 51 This shall not be construed so as to require that a veterinarian or physician be present at the  
 52 time euthanasia is performed.

53 ~~(f)~~(g) No dog or cat may be left unattended between the time euthanasia procedures are  
 54 first begun and the time death occurs, nor may its body be disposed of until death is  
 55 confirmed by a qualified person.

56 ~~(g)~~(h) The supervising veterinarian or physician shall be subject to all record-keeping  
 57 requirements and inspection requirements of the State Board of Pharmacy pertaining to  
 58 sodium pentobarbital and other drugs authorized under subsection (b) of this Code section  
 59 and may limit the quantity of possession of sodium pentobarbital and other drugs  
 60 authorized to ensure compliance with the provisions of this Code section.

61 ~~(h) This Code section shall not apply to any animal shelter or other facility located in a~~  
 62 ~~county having a population of 25,000 or less according to the most recent United States~~  
 63 ~~decennial census."~~

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**SECTION 2.**

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This Act shall become effective upon its approval by the Governor or upon its becoming law

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without such approval.

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**SECTION 3.**

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All laws and parts of laws in conflict with this Act are repealed.