

**ASSEMBLY BILL**

**No. 2343**

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**Introduced by Assembly Member Gatto**

February 21, 2014

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An act to amend Section 31108 of the Food and Agricultural Code, relating to stray dogs.

LEGISLATIVE COUNSEL'S DIGEST

AB 2343, as introduced, Gatto. Stray dogs: animal shelters: holding periods.

Existing law specifies that the required holding period for a stray dog that is impounded by a public pound or shelter shall be 6 business days, not including the day of impoundment, subject to specified exemptions. Existing law also requires that a public or private shelter make reasonable efforts to contact the owner of a stray dog and notify the owner that his or her dog is impounded and is available for redemption, during a specified holding period, as prescribed.

This bill would make nonsubstantive changes in those provisions governing the holding period for stray dogs that are impounded by a public pound or shelter.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 31108 of the Food and Agricultural Code  
2 is amended to read:

1 31108. (a) The required holding period for a stray dog  
2 impounded pursuant to this division shall be six business days,  
3 ~~not including~~ *excluding* the day of impoundment, except as follows:

4 (1) If the public or private shelter has made the dog available  
5 for owner redemption on one weekday evening until at least 7 p.m.  
6 or one weekend day, the holding period shall be four business  
7 days, ~~not including~~ *excluding* the day of impoundment.

8 (2) If the public or private shelter has fewer than three full-time  
9 employees or is not open during all regular weekday business  
10 hours, and if it has established a procedure to enable owners to  
11 reclaim their dogs by appointment at a mutually agreeable time  
12 when the public or private shelter would otherwise be closed, the  
13 holding period shall be four business days, ~~not including~~ *excluding*  
14 the day of impoundment.

15 Except as provided in Section 17006, stray dogs shall be held  
16 for owner redemption during the first three days of the holding  
17 period, ~~not including~~ *excluding* the day of impoundment, and shall  
18 be available for owner redemption or adoption for the remainder  
19 of the holding period.

20 (b) Except as provided in Section 17006, any stray dog that is  
21 impounded pursuant to this division shall, prior to the euthanasia  
22 of that animal, be released to a nonprofit, as defined in Section  
23 501(c)(3) of the Internal Revenue Code, animal rescue or adoption  
24 organization if requested by the organization prior to the scheduled  
25 euthanasia of that animal. The public or private shelter may enter  
26 into cooperative agreements with any animal rescue or adoption  
27 organization. In addition to any required spay or neuter deposit,  
28 the public or private shelter, at its discretion, may ~~assess~~ *impose*  
29 a fee, not to exceed the standard adoption fee, for animals adopted  
30 or released.

31 (c) During the holding period required by this section and prior  
32 to the adoption or euthanasia of a dog impounded pursuant to this  
33 division, a public or private shelter shall scan the dog for a  
34 microchip that identifies the owner of that dog and shall make  
35 reasonable efforts to contact the owner and notify him or her that  
36 his or her dog is impounded and is available for redemption.

1 (d) As used in this division, a “business day” includes any day  
2 that a public or private shelter is open to the public for at least four  
3 hours, excluding state holidays.

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