

Referred to Committee on

Introduced by:

AN ACT CONCERNING THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION REGARDING APPOINTMENT OF AN ADVOCATE IN A CRIMINAL PROCEEDING REGARDING THE WELFARE OR CUSTODY OF AN ANIMAL.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 54-86n of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2023*):

3 (a) In any prosecution under section 53-247, or in any court
4 proceeding pursuant to section 22-329a or in the criminal session of the
5 Superior Court regarding the welfare or custody of [a cat or dog] an
6 animal owned or kept by a person, the court may order, upon its own
7 initiative or upon request of a party or counsel for a party, that a
8 separate advocate be appointed to represent the interests of justice. If a
9 court orders that an advocate be appointed to represent the interests of
10 justice, the court shall appoint such advocate from a list provided to the
11 court by the Commissioner of Agriculture pursuant to subsection (c) of
12 this section. A decision by the court denying a request to appoint a
13 separate advocate to represent the interests of justice shall not be subject
14 to appeal.

15 (b) The advocate may: (1) Monitor the case; (2) consult any individual
16 with information that could aid the judge or fact finder and review
17 records relating to the condition of the [cat or dog] animal and the
18 defendant's actions, including, but not limited to, records from animal

19 control officers, veterinarians and police officers; (3) attend hearings;
20 and (4) present information or recommendations to the court pertinent
21 to determinations that relate to the interests of justice, provided such
22 information and recommendations shall be based solely upon the duties
23 undertaken pursuant to this subsection.

24 (c) The Department of Agriculture shall maintain a list of attorneys
25 with knowledge of animal issues and the legal system and a list of law
26 schools that have students, or anticipate having students, with an
27 interest in animal issues and the legal system. Such attorneys and law
28 students shall be eligible to serve on a voluntary basis as advocates
29 under this section. The provisions of sections 3-14 to 3-21, inclusive, of
30 the Connecticut Practice Book shall govern a law student's participation
31 as an advocate under this section.

32 **Statement of Purpose:**

33 To allow a judge to appoint an advocate in a criminal proceeding
34 regarding the welfare or custody of any animal owned or kept by a
35 person rather than a cat or dog as currently permitted.

36 *[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that*
37 *when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*