



State Legislative Update

March 2024

This issue of the State Legislative Update includes select summaries of bills and regulations tracked by the AVMA Division of State Advocacy and introduced in March. For more information, please contact Madeline Brezin, Policy Analyst, AVMA Division of State Advocacy (mbrezin@avma.org).

Animal Disease | Vaccination

Delaware proposed regulation 16 DE Admin. Code 4202, which would add Zika Virus to the reportable list and require it to be reported within 48 hours. This bill would also require Brucellosis and Rabies to be reported via call or email within four hours of recognition and require Eastern Equine Encephalitis, Western Equine Encephalitis, Zika Virus, and Venezuelan Equine Encephalitis to be reported within 48 hours.

South Carolina introduced SC S.B. 1147. This bill would create a position called a “certified vaccine technician” and allow these technicians to administer rabies vaccines and sign rabies vaccine certificates—if they include their supervising veterinarian’s name and address. Technicians in this field would be required to complete specialized training, including a class taught by a South Carolina veterinarian or taught by an individual or entity approved by the State Board of Veterinary Medical Examiners, training in vaccinating pets, and six months of experience in vaccinating pets under the direct supervision of a licensed veterinarian. They would also have to be re-trained every two years and could only work at a regulated animal control shelter under the direct or indirect supervision of a veterinarian. Additionally, this bill would clarify that a veterinarian-client-patient relationship (VCPR) is unnecessary for the administration of vaccines that are approved by the state’s Department of Health and Environmental Control and licensed by the United States Department of Agriculture.

Virginia enacted VA S.B. 412. This new law allows approved rabies clinics to offer microchipping and additional animal health vaccines at the discretion of the licensed veterinarian or veterinarians participating in the clinic. It requires any licensed veterinarian who administers animal health vaccinations at a rabies clinic to provide

the owner or custodian of an animal with a vaccination record for each vaccinated animal and ensure that a licensed veterinary establishment retains a copy of each vaccination record. Finally, it would permit licensed veterinary technicians to administer vaccines at a rabies clinic under the immediate and direct supervision of a licensed veterinarian on the premises unless otherwise provided by regulations.

Non-Economic Damages | Malpractice

New Jersey introduced NJ A. 4138, which would establish the award of damages for pain and suffering to the owner of a pet cat or dog that dies due to malpractice or negligence by a veterinarian, veterinary hospital, or other veterinary facility.

Pharmaceuticals | Prescription Drug Monitoring Programs

Maine enacted ME L.D. 2139 (H.P. 1363), expanding the required reporting on controlled substances under the Controlled Substances Prescription Monitoring Program to include drugs, substances, and chemicals listed in the federally determined Schedule V.

Scope of Practice

In **California**, CA A.B. 2854 was amended to prohibit a person from performing surgical claw removal, declawing, or a tendonectomy on any cat or otherwise altering a cat's toes, claws, or paws to prevent or impair the normal function of the cat's toes, claws, or paws, except for a therapeutic purpose. Similarly in **Minnesota**, MN H.F. 7956 would ban the declawing of cats unless for therapeutic purposes, punishable by \$500 for the first violation, \$1,000 for the second violation, and \$2,500 for the subsequent violations. It would also permit civil penalties to be recovered by the county attorney or attorney general.

Vetoed by **Wisconsin** Governor Tony Evers, WI A.B. 957 would have prohibited counties and municipalities from taking certain actions to regulate commercial animal operations in areas that are zoned exclusively or primarily for agricultural use, including

establishing animal welfare standards that are more stringent than those contained in state law.

UT H.B. 312 in **Utah** was enacted and permits a person to engage in the practice of animal massage therapy without an animal massage therapist license if the Division of Professional Licensing regulations are followed and the individual has completed at least 60 hours of training specified by the Division.

State Programs

Supported by the **Delaware Veterinary Medical Association** and the product of a collaborative effort across many state agencies, DE S.B. 251 would rename the Delaware Institute of Veterinary Medical Education as the Delaware Veterinary Medicine Education Advisory Council (DVMEAC) and would serve in an advisory capacity to the Delaware Department of Agriculture. Among other responsibilities, DVMEAC would perform a landscape analysis every 10 years of the in-state veterinary needs and options, and develop and monitor a recruitment program for veterinary medicine education in conjunction with local colleges and universities.

Veterinary Technicians

In **Colorado**, CO H.B. 24-1047 was signed by Governor Jared Polis after strong advocacy efforts by the **Colorado Veterinary Medical Association**. Introduced by veterinarian and legislator, Dr. Karen McCormick, the bill permits a licensed veterinarian to delegate and assume responsibility for veterinary care provided to a patient by an individual employed at the same physical practice location and working out of the same physical premises as the licensed veterinarian. It will also require a licensed veterinarian to establish a VCPR before delegating tasks to a veterinary technician, veterinary technician specialist (VTS), or other qualified personnel.

In **Utah**, UT H.B. 145 was amended and enacted to now permit a veterinarian to delegate tasks to a veterinary technician under direct or indirect supervision.

Xylazine

Indiana enacted IN H.B. 1203, which criminalizes the possession, manufacturing, financing, or delivery of xylazine, with an exception for veterinary medicine.

Vermont amended VT S. 58; it will now criminalize the sale or dispensing of xylazine with an exemption for veterinary medicine.

Animal Abuse Cruelty			
State	Link	Summary of Proposed Bill or Regulation	Status
Colorado	<u>CO H.B. 24-1254</u>	Would require a pet care facility licensed under the "Pet Animal Care and Facilities Act" to notify pet animal owners within 24 hours after a suspected outbreak of an infectious disease is discovered at the facility.	Introduced 3/4/2024
Tennessee	<u>TN SB 1957/TN H.B. 2079</u>	Allows a licensed veterinarian acting within their professional capacity and in a current VCPR to report suspected animal abuse with reasonable cause and is immune from any civil and criminal liability for reporting.	Enacted 3/15/2024

Animal Advocate Court			
State	Link	Summary of Proposed Bill or Regulation	Status
Rhode Island	<u>RI H.B. 7970</u>	Would allow a court to award sole or joint custody of a companion animal in a divorce or separation proceeding and require them to consider the best interests of the animal.	Introduced 3/5/2024

Animal Disease Vaccination			
State	Link	Summary of Proposed Bill or Regulation	Status
Delaware	<u>16 DE Admin. Code 4202</u>	Would: 1. Require Brucellosis and Rabies to be reported via call or email within four hours of recognition; and, 2. Require Eastern Equine Encephalitis, Western Equine Encephalitis, Zika Virus, and Venezuelan Equine Encephalitis to be reported within 48 hours.	Proposed 3/1/2024 Closed for Comment 4/1/2024
South Carolina	<u>SC S.B. 1147</u>	Would: 1. Create a position called "certified vaccine technician" (CVT); 2. Require CVT training to include a class taught by a South Carolina veterinarian or taught by an individual or entity approved by the State Board of Veterinary Medical Examiners, training in vaccinating pets, and six months of experience in vaccinating pets under the direct supervision of a licensed veterinarian; 3. Require CVTs to be re-trained every two years; 4. Require CVTs to work at a regulated animal control shelter under the direct or indirect supervision of a veterinarian; 5. Allow CVTs to administer rabies vaccines and sign rabies vaccine certificates if they include their supervising veterinarian's name and address; and,	Introduced 3/12/2024

		6. Clarify a VCPR is unnecessary for the administration of vaccines that are approved by the state's Department of Health and Environmental Control and licensed by the United States Department of Agriculture.	
Virginia	<u>VA S.B. 412</u>	<ol style="list-style-type: none"> 1. Allows approved rabies clinics to offer microchipping and additional animal health vaccines at the discretion of the licensed veterinarian or veterinarians participating in the clinic; 2. Requires any licensed veterinarian who administers animal health vaccinations at a rabies clinic to provide the owner or custodian of an animal a vaccination record for each vaccinated animal and ensure that a licensed veterinary establishment retains a copy of each vaccination record; and, 3. Permits licensed veterinary technicians to administer vaccines at a rabies clinic under the immediate and direct supervision of a licensed veterinarian on the premises unless otherwise provided by regulations. 	Enacted 3/28/2024

Animal Shelters

State	Link	Summary of Proposed Bill or Regulation	Status
California	<u>CA A.B. 2265</u>	<p>Would:</p> <ol style="list-style-type: none"> 1. Require that no animal be euthanized by a public animal control agency or shelter or a private entity that contracts with a public animal control agency or shelter for animal care and control services; 2. Require an eligible agency or shelter up to 72 hours before a scheduled euthanasia of a dog or cat, but no later than 24 hours before a scheduled euthanasia of a dog or cat, to post a daily list of any cat or dog scheduled for euthanasia on their public internet website a physical notice on the kennel of a dog or cat scheduled to be euthanized; 3. Prohibit a public animal control agency or shelter from giving a dog or cat to a foster unless the public animal control agency or shelter schedules a spay or neuter surgery for the dog or cat within 5 business days of the dog or cat departing the public animal control agency or shelter and performed within 30 business days of the dog or cat departing the shelter; and, 4. Require a public animal control agency or shelter to require a foster to voluntarily return a dog or cat if the foster fails to bring the dog or cat to their scheduled spay or neuter appointment. 	Amended 3/18/2024
Louisiana	<u>LA S.B. 95</u>	Would permit a person who takes possession of a stray animal to make an electronic submission for the expenses of the animal with the Department of Agriculture.	Introduced 3/11/2024

Companion Animals

State	Link	Summary of Proposed Bill or Regulation	Status
Kansas	<u>KS S.B. 547</u>	<p>Would:</p> <ol style="list-style-type: none"> 1. Amend the Pet Animal Act to require the Department of Agriculture to maintain records of inspections for not less than five years; and, 2. Remove the requirement that the Commissioner only apply federal rules and regulations to United States Department of Agriculture licensed animal distributors and animal breeders. 	Introduced 3/13/2024

Education			
State	Link	Summary of Proposed Bill or Regulation	Status
Utah	<u>UT H.B. 522</u>	<ol style="list-style-type: none"> 1. Modifies the Veterinarian Education Loan Repayment Program by decreasing the repayment amount from \$100,000 to \$20,000; 2. Permits a qualified veterinarian who practices at least 30% livestock medicine to participate in the program. 	Enacted 3/12/2024

Emergency First Responders			
State	Link	Summary of Proposed Bill or Regulation	Status
Connecticut	<u>CT S.B. 427</u>	<p>Would:</p> <ol style="list-style-type: none"> 1. Allow, after July 1, 2025, emergency medical services personnel to provide emergency treatment to a law enforcement animal that is injured in the performance of its duties and transport the animal by ambulance to a veterinary facility equipped to provide emergency treatment; 2. Prohibit care and transport of a law enforcement animal if there is a human in need of care and transport; and, 3. Require, by July 1, 2025, the Connecticut Department of Public Health to adopt regulations regarding the training of emergency services personnel in basic level first aid, cardiopulmonary resuscitation and life-saving interventions for law enforcement animals, safe handling procedures, identification of veterinary facilities that provide qualified emergency treatment, and decontamination and sterilization requirements for equipment and vehicles after transport of law enforcement animals. 	Introduced 3/12/2024

Euthanasia			
State	Link	Summary of Proposed Bill or Regulation	Status
Rhode Island	<u>RI S.B. 2538/RI H.B. 7840</u>	Would only allow for the humane euthanization of a dangerous dog after an evaluation by RISPCA or it is determined by the sheriff, deputy sheriff, constable, police officer, agent, or officer of the RISPCA having possession of the dog after reasonable time and effort have been expended and that no appropriate placement for the dog exists.	Introduced 3/1/2024

Licensure			
State	Link	Summary of Proposed Bill or Regulation	Status
Indiana	<u>IN S.B. 0104</u>	<ol style="list-style-type: none"> 1. Requires the Indiana State Police to disclose to the Indiana Board of Veterinary Medicine the criminal history or activity of veterinary license or certificate holders or applicants; 2. Requires veterinarians and veterinary technicians to disclose certain information when renewing a license or registration certificate electronically and requires the board to compile that information into an annual report; 3. Provides that a licensed veterinarian is not required to obtain an additional controlled substance registration when practicing veterinary medicine at a site, so long as the site is not a principal place of business or professional practice; and, 4. Prohibits a veterinarian or a registered veterinary technician from renewing an expired license or registration 	Enacted 3/11/2024

		certificate after three years following the date of the expiration (previously five years).	
Louisiana	LA S.B. 60/LA H.B. 716	<p>Would require professional or occupational licensing boards to issue licenses if:</p> <ol style="list-style-type: none"> 1. The person holds a valid license in another state for at least one year; 2. The board in the other state requires a person to pass an examination or meet education, training, or experience standards; 3. The person is in good standing; 4. The person does not have a disqualifying criminal record or a complaint, allegation, or investigation pending before the Board; and, 5. The person pays all applicable fees. 	Introduced 3/1/2024

Livestock

State	Link	Summary of Proposed Bill or Regulation	Status
Louisiana	LA S.B. 104	<p>Would:</p> <ol style="list-style-type: none"> 1. Authorize the Animal Control Authority to take possession and impound livestock; 2. Authorize the Animal Control Authority to advertise where the sale of impounded livestock will take place; and, 3. Require the money from the sale to go toward the care and feed of the livestock, and the remainder to be returned to the parish where the livestock was located. 	Introduced 3/11/2024
Louisiana	LA S.B. 114	<p>Would:</p> <ol style="list-style-type: none"> 1. Permit an establishment that slaughters or prepares meat of bison, deer, camels, pheasants, quail, partridge, peafowl, grouse, or wild turkey to receive a voluntary state inspection; and, 2. Remove language that requires the Board of Animal Health to advise the Commission of Agriculture on consultations with the federal Secretary of Agriculture. 	Introduced 3/11/2024
Utah	UT S.B. 73	<ol style="list-style-type: none"> 1. Exempts local food (defined as an agricultural product or livestock that is produced, processed, and distributed for sale or consumption within the state) from regulation by the federal government; and, 2. Restricts the state regulation and rulemaking authority in relation to local food. 	Enacted 3/13/2024

Non-Economic Damages | Malpractice

State	Link	Summary of Proposed Bill or Regulation	Status
New Jersey	NJ A. 4138	Would establish an award of damages for pain and suffering to the owner of a pet cat or dog that dies due to malpractice or negligence by a veterinarian, veterinary hospital, or other veterinary facility.	Introduced 3/19/2024

Pet Insurance

State	Link	Summary of Proposed Bill or Regulation	Status
Rhode Island	RI S.B. 2812	Would create a framework for pet insurance in the state.	Introduced 3/22/2024
Vermont	VT H. 659	Would create a framework for pet insurance in the state.	Amended 3/22/2024

Pharmaceuticals Prescription Drug Monitoring Programs			
State	Link	Summary of Proposed Bill or Regulation	Status
Indiana	<u>IN H.B. 1203</u>	Criminalizes the possession, manufacturing, financing, or delivery of xylazine, with an exception for veterinary medicine.	Enacted 3/11/2024
Maine	<u>ME L.D. 2139 (H.P. 1363)</u>	Expands the required reporting on controlled substances under the Controlled Substances Prescription Monitoring Program to include drugs, substances, and chemicals listed in the federally determined Schedule V.	Enacted 3/14/2024
Vermont	<u>VT S. 58</u>	Would criminalize the sale or dispensing of xylazine with an exemption for veterinary medicine.	Amended 3/26/2028

Scope of Practice			
State	Link	Summary of Proposed Bill or Regulation	Status
California	<u>CA A.B. 2854</u>	Would prohibit a person from performing surgical claw removal, declawing, or a tendonectomy on any cat or otherwise altering a cat's toes, claws, or paws to prevent or impair the normal function of the cat's toes, claws, or paws, except for a therapeutic purpose.	Amended 3/18/2024
Minnesota	<u>MN H.F. 7956</u>	Would ban the declawing of cats unless for therapeutic purposes, punishable by \$500 for the first violation, \$1,000 for the second violation, and \$2,500 for the subsequent violations (and permit civil penalties to be recovered by the county attorney or attorney general).	Introduced 3/14/2024
Utah	<u>UT H.B. 312</u>	Permits a person to engage in the practice of animal massage therapy without an animal massage therapist license if division regulations are followed and the individual has completed at least 60 hours of training specified by the division.	Enacted 3/20/2024
Wisconsin	<u>WI S.B. 892/WI A.B. 957</u>	Would have prohibited political subdivisions from: <ol style="list-style-type: none"> 1. Adopting regulations for animal facilities in areas that are zoned exclusively or primarily for agricultural use; 2. Establishing animal welfare standards that are more stringent than those contained in state law or from requiring or prohibiting animal medications or vaccinations that are not otherwise required or prohibited under state law; 3. Regulating the use to which an animal will be put, either on a farm or facility or after it leaves the farm or facility; and, 4. Regulating the species of animals that are allowed to be raised within an area that is zoned exclusively or primarily for agricultural use. 	Vetoed 3/29/2024

Small Business			
State	Link	Summary of Proposed Bill or Regulation	Status
Indiana	<u>IN H.B. 1412</u>	<ol style="list-style-type: none"> 1. Requires retail pet stores, animal care facilities, and animal rescue operations to register with the Indiana Board of Animal Health; 2. Requires pet store operators to microchip dogs before sale and get customers to commit to spaying or neutering a dog within a timeframe specified by a veterinarian; 3. Establishes mandatory disclosures and warranties for a retail pet store selling dogs; 4. Creates remedies for retail pet shop customers who purchase a dog that possesses a congenital or hereditary condition or who, at the time of sale, was unfit for purchase if a licensed veterinarian verifies those conditions in writing; and, 	Enacted 3/4/2024

		5. Establishes a random inspection program for commercial dog breeders, commercial dog brokers, and retail pet stores.	
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Spaying Neutering			
State	Link	Summary of Proposed Bill or Regulation	Status
South Dakota	<u>SD S.B. 172</u>	Allows a person to temporarily take responsibility for a feral animal to spay or neuter the animal without being responsible for the neglect, abandonment, or mistreatment of the animal.	Enacted 3/7/2024

State Programs Board of Veterinary Medicine			
State	Link	Summary of Proposed Bill or Regulation	Status
Delaware	<u>DE S.B. 251</u>	<p>Would:</p> <ol style="list-style-type: none"> 1. Rename the Delaware Institute of Veterinary Medical Education to the Delaware Veterinary Medicine Education Advisory Council (DVMEAC) that would serve in an advisory capacity to the Delaware Department of Agriculture; 2. Require DVMEAC be made up of 12 members, including a veterinary practitioner, one member of the Delaware Veterinary Medical Association, and the State Veterinarian; 3. Direct DVMEAC to: <ol style="list-style-type: none"> a. Perform a landscape analysis every 10 years of the in-state veterinary needs and options; b. Develop and monitor a recruitment program for veterinary medicine education in conjunction with local colleges and universities; c. Develop and maintain statewide communications, publicity, and marketing plans to promote awareness of the existence of the Advisory Council and veterinary opportunities for Delaware residents; d. Monitor veterinary medicine schools serving Delaware residents for data regarding the number of Delaware residents graduating and initial placement after graduation; e. Develop recruitment programs aimed at attracting pre-veterinary medicine students interested in practicing in Delaware; f. Support, as appropriate, private sector provider recruitment efforts by consolidating information collection and dissemination efforts; g. Assist and advise the Department of Education and the Department of Agriculture in developing a working relationship or affiliation agreement with out-of-state veterinary medicine schools; and, h. Submit an annual report summarizing each action DVMEAC took during the year and recommendations DVMEAC has identified to encourage graduates of veterinary medicine schools to return or come to practice in Delaware. 	Introduced 3/25/2024
Delaware	<u>DE H.B. 190</u>	<p>Would:</p> <ol style="list-style-type: none"> 1. Allow annual registration fees on pet food and fees from the state’s animal welfare license plate to be distributed to the animal population control fund; 2. Exempt stray, abandoned, abused, or owner-surrendered animals admitted for intake to an animal shelter for temporary shelter and care from the state’s rabies vaccine surcharge; 	Introduced 3/21/2024

		<ol style="list-style-type: none"> 3. Restrict eligibility for grants under the program from corporations to non-profit organizations; 4. Amend fiscal allotment requirements to allow the Department of Health and Social Services to determine allotment and numerical spay and neuter procedures according to available funds and in a way that best accomplishes the goals of the Program and reaches targeted pet populations; 5. Only allow non-spayed/neutered animals to be adopted if a veterinarian determines that the procedure cannot be accomplished safely or humanely; and, 6. Add three members to the Spay/Neuter Advisory Committee, appointed by the Chair, each of whom may be a veterinarian, an animal welfare organization representative, or other animal welfare expert. 	
Louisiana	<u>LA H.B. 179</u>	Would require agencies to repeal two rules for every new one proposed.	Introduced 3/11/2024
New Hampshire	<u>NH H.B. 1095</u>	<p>Would:</p> <ol style="list-style-type: none"> 1. Shift authority to issue licenses and administer examinations for veterinary licensure from the Board of Veterinary Medicine to the Office of Professional Licensure and Certification; 2. Remove the authority of the Board of Veterinary Medicine to revoke a temporary license; 3. Require license renewal to be compliant with the Office of Professional Licensure and Certification License Renewal; 4. Remove the ability of the Board of Veterinary Medicine or any citizen of the state to bring an action to enjoin any person from practicing veterinary medicine without a currently valid license or temporary permit; and, 5. Shift authority to issue certification for the practice of physical therapy on animals from the Board of Veterinary Medicine to the Office of Professional Licensure and Certification. 	Amended 3/28/2024

Taxes: Credits | Exemptions | Sale & Use

State	Link	Summary of Proposed Bill or Regulation	Status
Iowa	<u>IA H.F. 2660</u>	Would permit research in animal science, veterinary medicine, and other sciences to be eligible for claiming the research activities tax credit.	Introduced 3/18/2024

Veterinary Technicians | Veterinary Assistants

State	Link	Summary of Proposed Bill or Regulation	Status
Colorado	<u>CO H.B. 24-1047</u>	<ol style="list-style-type: none"> 1. Defines “supervising licensed veterinarian,” “indirect supervision,” and “veterinary technician specialist;” 2. Permits a supervising licensed veterinarian to delegate tasks to an individual (amended from “veterinary tasks”); 3. Excludes an individual from the unlawful practice of veterinary medicine who acts under (at least) the indirect supervision of a licensed veterinarian to provide care to animals at an animal shelter or animals under the stewardship of an animal shelter; 4. Excludes an individual from the unlawful practice of veterinary medicine from performing accepted animal husbandry on livestock if they are the owner of the animal, acting under the direction of the owner, or under the supervision of a licensed veterinarian with an established VCPR; 	Enacted 3/22/2024

		<ol style="list-style-type: none">5. Requires a licensed veterinarian to establish a VCPR before delegating tasks to a veterinary technician, VTS, or other qualified personnel;6. Permits a veterinarian to delegate tasks in accordance with the law and rules adopted by the Board; and,7. Requires the Board to adopt rules for tasks (amended from “veterinary tasks”) a licensed veterinarian may delegate to a veterinary technician or VTS and the stated level of supervision to perform those tasks by September 25, 2025.	
Utah	<u>UT H.B. 145</u>	Permits a veterinarian to delegate tasks to a veterinary technician under direct or indirect supervision.	Enacted 3/13/2024