

ENROLLED ACT NO. 113, HOUSE OF REPRESENTATIVES

FIFTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING  
2003 GENERAL SESSION

AN ACT relating to professions and occupations; establishing the animal euthanasia certification board as specified; authorizing the board to certify animal euthanasia technicians; specifying eligibility criteria; specifying approved training and testing; prohibiting persons from acting as animal euthanasia technicians without certification; granting rulemaking authority; providing definitions; providing penalties; providing for an appropriation; and providing for an effective date.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Section 1.** W.S. 33-30-216 through 33-30-222 are created to read:

**33-30-216. Definitions.**

(a) As used in this act:

(i) "Board" means the Wyoming animal euthanasia technician certification board;

(ii) "Certified animal euthanasia technician" means a person who is employed or sponsored by a law enforcement agency whose duties include euthanizing unwanted, sick, injured or dangerous animals;

(iii) "Euthanasia" or "euthanizing" means the act or practice of providing a humane death for animals through the use of euthanizing drugs;

(iv) "Euthanizing drugs" means any pentobarbital-based drug labeled by the manufacturer for the purpose of euthanizing animals, with the exception of

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Schedule I drugs as defined in W.S. 35-7-1013 and 35-7-1014;

(v) "This act" means W.S. 33-30-216 through 33-30-222.

**33-30-217. Animal euthanasia technician certification board created; composition; terms of office.**

(a) There is created the animal euthanasia technician certification board. The board shall consist of five (5) members appointed by the governor. Initial board members shall be appointed upon the recommendation of the Wyoming state board of veterinary medicine. Thereafter, the animal euthanasia technician certification board shall make recommendations to the governor after receiving the recommendation of the Wyoming state board of veterinary medicine.

(b) The initial membership of the board shall include at least one (1) licensed veterinarian, one (1) actively employed animal control officer, one (1) law enforcement official whose duties include supervision of animal control and one (1) citizen from the public at large. Thereafter, members of the board shall be certified euthanasia technicians, veterinarians licensed in this state or certified peace officers.

(c) Members of the board shall serve terms of three (3) years. The initial board shall have staggered terms of one (1) member for one (1) year, two (2) members for two (2) years and two (2) members for three (3) years.

**33-30-218. Duties and powers of board.**

(a) The board shall:

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(i) Grant, suspend or revoke the certification of any animal euthanasia technician. The board shall examine the credentials of applicants for certification and current certificate holders and may grant, suspend or revoke certification on the basis of the credentials or upon other cause as specified by the rules of the board. In addition, the board may require oral interviews and practical demonstrations;

(ii) Examine and approve available animal euthanasia training and testing programs for use by applicants for certification. In the absence of available animal euthanasia training and testing programs, the board shall develop a program for use by animal euthanasia technicians in this state. A program approved or developed pursuant to this paragraph shall include:

(A) Methods of humanely euthanizing injured, sick, homeless or unwanted animals;

(B) Security precautions;

(C) Record keeping; and

(D) Other skills as determined necessary by the board.

(iii) Promulgate rules and regulations in accordance with the Wyoming Administrative Procedure Act necessary for the implementation of this act, including the establishment of fees provided for by this act and rules relating to professional conduct which establish ethical and professional standards of practice;

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(iv) Conduct investigations and hearings pursuant to the Wyoming Administrative Procedure Act.

**33-30-219. Certified animal euthanasia technicians; eligibility; surrender or revocation of certificate; fees; other requirements.**

(a) Any person applying for a certification as an animal euthanasia technician shall be employed or sponsored by a law enforcement agency. An applicant shall make a written application to the board which shall include:

(i) A fee in the amount established pursuant to rules and regulations not to exceed one hundred dollars (\$100.00);

(ii) Proof that the applicant:

(A) Is a citizen of the United States or is lawfully admitted to remain and work in the United States;

(B) Is employed or sponsored by a law enforcement agency;

(C) Has not been convicted of a felony or any criminal violation relating to cruelty to animals or animal neglect; and

(D) Has completed an animal euthanasia training and testing program approved or developed by the board.

(iii) Proof that the employing sponsoring agency has obtained any required federal permits;

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(iv) A criminal history background check required pursuant to W.S. 7-19-106(a)(x);

(v) Any other information required by the board.

(b) A certification issued pursuant to this section shall be for a two (2) year period unless surrendered by the certified animal euthanasia technician or revoked or suspended by the board for cause. The certified animal euthanasia technician shall renew the certificate every two (2) years. Application for renewal shall be accompanied by:

(i) A fee in the amount established pursuant to rules and regulations not to exceed one hundred dollars (\$100.00);

(ii) Proof of current employment or sponsorship by a law enforcement agency; and

(iii) Proof of a minimum of eight (8) hours of board approved training during the previous two (2) year period.

(c) The fees received under subsection (a) or (b) of this section shall be deposited with the state treasurer who shall credit the money to an account within the special revenue fund. All monies credited to the account shall be expended only upon appropriation by the legislature to defray costs and expenses incurred in the administration of this act.

(d) In addition to other requirements of this act, a certified animal euthanasia technician shall register with the Wyoming board of pharmacy to purchase, possess and administer euthanizing drugs.

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(e) If at any time there is a change in employment or sponsorship of a certified animal euthanasia technician by a law enforcement agency, the law enforcement agency shall immediately notify the board of the change. The board shall adopt rules relating to changes in employment or sponsorship by law enforcement agencies for the purposes of this act. For the purposes of this subsection, "change" or "changes" includes transfer to another division or part of the law enforcement agency as well as firing, termination or other release of employment or sponsorship by the law enforcement agency.

**33-30-220. Compensation of board members.**

Board members shall receive no compensation for their services but shall receive per diem and travel expenses in the manner and amount provided for state employees by W.S. 9-3-102 and 9-3-103.

**33-30-221. Prohibited acts; penalties.**

Any person employed or sponsored by a law enforcement agency who euthanizes an animal by injection of euthanizing drugs as defined in this act without being certified according to the provisions of this act is guilty of a misdemeanor punishable by a fine of not more than seven hundred fifty dollars (\$750.00), imprisonment for not more than six (6) months, or both.

**33-30-222. Animal euthanasia technician certification; limitations.**

Nothing in this act shall apply to veterinarians licensed pursuant to W.S. 33-30-101 et seq. or to any wildlife or

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predator control officer in the performance of their duties.

**Section 2.** W.S. 7-19-106(a) by creating a new paragraph (x), 33-30-204(m) by creating a new paragraph (xiv) and 35-7-1010 are amended to read:

**7-19-106. Access to, and dissemination of, information.**

(a) Criminal history record information shall be disseminated by criminal justice agencies in this state, whether directly or through any intermediary, only to:

(x) The Wyoming animal euthanasia technicians board for purposes of obtaining background information on applicants for certification by the board.

**33-30-204. Board of veterinary medicine.**

(m) The board is empowered to:

(xiv) Make recommendations regarding members of the animal euthanasia technicians certification board to the governor pursuant to W.S. 33-30-217(a).

**35-7-1010. Board of pharmacy designated agency to administer registration.**

The Wyoming state board of pharmacy in addition to any other duties imposed upon it by law is hereby designated as the agency to administer the registration of the manufacture, distribution and dispensing of controlled substances as hereinafter provided in this act. The board shall register certified animal euthanasia technicians as provided by W.S. 33-30-219, for the limited purposes of

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purchasing, possessing and administering euthanizing drugs as defined by W.S. 33-30-216(a)(iv), and performing the duties and powers of a certified animal euthanasia technician.

**Section 3.** There is appropriated from the budget reserve account ten thousand dollars (\$10,000.00) to the Wyoming animal euthanasia technician board for the purposes of this act.

**Section 4.** This act is effective July 1, 2003.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk