

**ASSEMBLY BILL**

**No. 2505**

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**Introduced by Assembly Member Quirk**

February 19, 2016

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An act to amend Section 597u of the Penal Code, relating to animals.

LEGISLATIVE COUNSEL'S DIGEST

AB 2505, as introduced, Quirk. Animals: euthanasia.

Existing law prohibits a person from killing an animal by using carbon monoxide gas or intracardiac injection of a euthanasia agent on a conscious animal, except as specified. With respect to the killing of a dog or cat, existing law prohibits a person from using a high-altitude decompression chamber or nitrogen gas. Under existing law, a violation of these provisions is a misdemeanor.

This bill would, with respect to the killing of a dog or cat, additionally prohibit a person from using carbon dioxide gas. By expanding the scope of an existing crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 597u of the Penal Code is amended to  
2 read:

3 597u. (a) ~~No~~A person, peace officer, officer of a humane  
4 society, or officer of a pound or animal regulation department of  
5 a public agency shall *not* kill~~any~~ *an* animal by using~~any~~ *either*  
6 of the following methods:

- 7 (1) Carbon monoxide gas.
- 8 (2) Intracardiac injection of a euthanasia agent on a conscious  
9 animal, unless the animal is heavily sedated or anesthetized in a  
10 humane manner, or comatose, or unless, in light of all the relevant  
11 circumstances, the procedure is justifiable.

12 (b) With respect to the killing of~~any~~ *a* dog or cat,~~no~~ *a* person,  
13 peace officer, officer of a humane society, or officer of a pound  
14 or animal regulation department of a public agency shall *not* use  
15 any of the methods specified in subdivision (a) or any of the  
16 following methods:

- 17 (1) High-altitude decompression chamber.
- 18 (2) Nitrogen~~gas~~ *gas*.
- 19 (3) *Carbon dioxide gas*.

20 SEC. 2. No reimbursement is required by this act pursuant to  
21 Section 6 of Article XIII B of the California Constitution because  
22 the only costs that may be incurred by a local agency or school  
23 district will be incurred because this act creates a new crime or  
24 infraction, eliminates a crime or infraction, or changes the penalty  
25 for a crime or infraction, within the meaning of Section 17556 of  
26 the Government Code, or changes the definition of a crime within  
27 the meaning of Section 6 of Article XIII B of the California  
28 Constitution.