

AMENDED IN ASSEMBLY APRIL 10, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2343

Introduced by Assembly Member Gatto

February 21, 2014

An act to amend ~~Section 31108 of the Food and Agricultural Code, Sections 31108, 31751.3, 31752, and 31754 of the Food and Agricultural Code, and to add Section 17581.8 to the Government Code, relating to stray dogs animals.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2343, as amended, Gatto. ~~Stray dogs: animal shelters: holding periods. Stray animals: pounds and shelters: adoption of dogs and cats.~~

(1) Existing law specifies that no stray dog or cat impounded by a public or private shelter shall be euthanized before 6 business days after the stray dog or cat is impounded, not including the day of impoundment, and requires that the stray dog or cat be released to a nonprofit animal rescue or adoption organization prior to the scheduled euthanasia of the stray dog or cat in certain circumstances, subject to specified exceptions. Existing law requires that a public or private shelter make reasonable efforts to contact the owner of a stray dog or cat that is impounded and notify him or her that his or her dog or cat is impounded and is available for redemption. Existing law requires that a stray dog or cat be held for owner redemption during the first 3 days of the holding period, not including the day of impoundment, and be available for owner redemption or adoption for the remainder of the holding period.

This bill would, instead, for any local governmental entity that receives specified block grant funding, prohibit a stray dog or cat from

being euthanized or otherwise disposed of until after that required holding period, except as provided. The bill would require that any stray dog impounded or stray cat admitted to a shelter pursuant to those provisions be made available for owner redemption, adoption, or release to an animal rescue or adoption organization, as defined, during the required holding period, except as provided. The bill would require that any stray dog or cat with identification, as defined, be held exclusively for owner redemption during the entire holding period, and any stray dog without identification be held exclusively during the first 72 hours of the holding period and then may be made available for adoption or release to an animal rescue or adoption organization, and would authorize a public or private shelter to make available for adoption or release to an animal rescue or adoption organization, any stray cat without identification that is admitted to a public private or shelter at any time. The bill would authorize a public or private shelter to make available for adoption or release to an animal rescue or adoption organization, each member of a litter of puppies without identification, consisting of 3 or more stray dogs under 4 months of age that originated from the same location.

This bill would also specify that, for any local governmental entity that receives specified block funding, any animal that is of a species admitted by public or private shelters may be made immediately available for adoption or release to an animal rescue or adoption organization, but, if the animal is not so adopted or released, would prohibit the animal from being euthanized or otherwise disposed of until after expiration of the holding periods applicable to stray dogs and cats.

By imposing new duties on local officials with regard to the operation of public pounds and animal shelters, the bill would impose a state-mandated local program.

(2) Under the California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, the state is required to provide a subvention of funds to reimburse the local government, with specified exceptions.

Existing law provides that no local agency shall be required to implement or give effect to any statute or executive order, or portion thereof, that imposes a mandate during any fiscal year and for the period immediately following that fiscal year if specified conditions are met, including that the statute or executive order, or portion thereof, has been specifically identified by the Legislature in the Budget Act for

the fiscal year as being one for which reimbursement is not provided for that fiscal year.

This bill would provide that funding apportioned pursuant to a specified provision of the bill for use for prescribed purposes relating to providing care for impounded animals in shelters shall constitute constitutionally required reimbursement for the performance of any state mandates included in the statutes and executive orders identified in that provision. The bill would authorize a city, county, city and county, or joint powers authority to elect to receive specified state block grant funding provided under the annual Budget Act, if the city, county, city and county, or joint powers authority complies with specified procedures for securing funds, and uses any funds received for those purposes relating to the provision of care for impounded animals in shelters. The bill would require a city, county, city and county or joint powers authority that elects not to apply for that block grant funding to hold a public hearing, during which it shall be required to make a finding regarding its decision not to apply for that funding, thereby imposing a state-mandated local program by mandating new duties on local governmental entities.

(3) 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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

~~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~~-yes.
State-mandated local program: ~~no~~-yes.

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

1 *SECTION 1. (a) The Legislature finds and declares all of the*
2 *following:*

3 *(1) California has long sought to protect the welfare and*
4 *interests of homeless animals.*

5 *(2) With the passage of the “Hayden Law” (Ch. 752, Stats.*
6 *1998), California codified longer holding periods for homeless*
7 *animals in shelters and, among other things, required shelters to*
8 *provide necessary veterinary care, to post lost and found lists, and*
9 *to release animals scheduled to be euthanized to animal adoption*
10 *and rescue organizations.*

11 *(3) The Commission on State Mandates ruled in 2001 that some*
12 *policies of the Hayden Law are reimbursable mandates, which led*
13 *to multiyear suspensions of funding for animal shelters during the*
14 *state’s budget crisis.*

15 *(4) The vulnerability of these policies governing the treatment*
16 *of homeless animals in shelters prompted the formation of a*
17 *statewide stakeholders group that evaluated outcomes, developed*
18 *best practices, and proposed solutions to help meet the state’s*
19 *policy goal that no adoptable or treatable animal should be*
20 *euthanized if it can be adopted into a suitable home, while*
21 *addressing the state mandate funding issues.*

22 *(b) It is the intent of the Legislature that \$10 million should be*
23 *appropriated in the 2015–16 Budget Act to fund the state block*
24 *grant program established pursuant to Section 17581.8 of the*
25 *Government Code.*

26 *(c) It is further the intent of the Legislature that funds from the*
27 *block grant program established pursuant to Section 17581.8 of*
28 *the Government Code should be administered by the State*
29 *Department of Public Health, with a portion of those funds used*
30 *for the care of stray animals in shelters.*

31 *SEC. 2. Section 31108 of the Food and Agricultural Code is*
32 *amended to read:*

33 31108. (a) ~~The required holding period for a~~ *Except as*
34 *provided in Section 17006, for any local governmental entity that*
35 *receives block grant funding under Section 17581.8 of the*
36 *Government Code, no stray dog impounded pursuant to this*
37 *division shall be euthanized or otherwise disposed of until after*
38 *the expiration of the required holding period, which shall be six*

1 business days, not including the day of impoundment, except as
2 follows:

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

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

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

19 *(b) (1) In addition to the prohibition against euthanasia set*
20 *forth in subdivision (a), a stray dog impounded pursuant to this*
21 *division shall be made available for owner redemption, adoption,*
22 *or release to an animal rescue or adoption organization during*
23 *the required holding period, as follows:*

24 *(A) A stray dog with identification shall be held exclusively for*
25 *owner redemption during the entire holding period.*

26 *(B) A stray dog without identification shall be held exclusively*
27 *for owner redemption during the first 72 hours of the holding*
28 *period, and then may be made available for adoption or release*
29 *to an animal rescue or adoption organization.*

30 *(C) Each member of a litter of puppies without identification,*
31 *consisting of three or more stray dogs under four months of age*
32 *that originated from the same location, may be made available for*
33 *adoption or release to an animal rescue or adoption organization*
34 *at any time.*

35 *(2) Nothing in this section is intended to prevent an owner from*
36 *reclaiming his or her dog during or after any required holding*
37 *period, pursuant to applicable law, if the public or private shelter*
38 *still has physical possession of the dog.*

39 ~~(b)~~

1 (c) Except as provided in Section 17006, ~~any~~ a stray dog that
 2 is impounded pursuant to this division shall, ~~prior to~~ *before* the
 3 euthanasia of that animal, be released to a nonprofit, as defined in
 4 Section 501(c)(3) of the Internal Revenue Code, animal rescue or
 5 adoption organization if requested by the organization ~~prior to~~
 6 *before* the scheduled euthanasia of that animal. The public or
 7 private shelter may enter into cooperative agreements with any
 8 animal rescue or adoption organization. In addition to any required
 9 spay or neuter deposit, the public or private shelter, at its discretion,
 10 may assess a fee, not to exceed the standard adoption fee, for
 11 animals adopted or released.

12 ~~(e)~~

13 (d) During the holding period required by this section and ~~prior~~
 14 ~~to~~ *before* the adoption, *release to an animal rescue or adoption*
 15 *organization*, or euthanasia of a dog impounded pursuant to this
 16 division, a public or private shelter shall scan the dog for a
 17 microchip that identifies the owner of that dog and shall make
 18 reasonable efforts to contact the owner and notify him or her that
 19 his or her dog is impounded and is available for redemption.

20 ~~(d)~~

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

24 (f) As used in this section, “*identification*” means a microchip,
 25 a readily visible license tag, as prescribed by Section 30951, a
 26 rabies vaccination tag, or other tag, tattoo, marking, or accessory
 27 that displays the identity or contact information of the owner or
 28 caretaker of the dog.

29 (g) As used in this section, an “*animal rescue or adoption*
 30 *organization*” is a for-profit or nonprofit, as described in Section
 31 501(c)(3) of the Internal Revenue Code, entity, or a collaboration
 32 of individuals with at least one of its purposes being the sale or
 33 placement of any dog that has been removed from a public animal
 34 control agency or shelter, society for the prevention of cruelty to
 35 animals shelter, or humane society shelter, or that has been
 36 previously owned by any person other than the original breeder
 37 of that dog.

38 SEC. 3. Section 31751.3 of the Food and Agricultural Code is
 39 amended to read:

1 31751.3. (a) (1) Except as otherwise provided in subdivision
2 (b), no public animal control agency or shelter, society for the
3 prevention of cruelty to animals shelter, humane society shelter,
4 or *animal rescue group or adoption organization* shall sell, or give
5 away to a new owner, any cat that has not been spayed or neutered.
6 (2) For the purposes of this section, a “~~rescue group~~” *chapter,*
7 *an “animal rescue or adoption organization”* is a for-profit or
8 not-for-profit, *as described in Section 501(c)(3) of the Internal*
9 *Revenue Code*, entity, or a collaboration of individuals with at
10 least one of its purposes being the sale or placement of cats that
11 have been removed from a public animal control agency or shelter,
12 society for the prevention of cruelty to animals shelter, or humane
13 *society* shelter, or that have been previously owned by any person
14 other than the original breeder of that cat.
15 (b) (1) If a veterinarian licensed to practice veterinary medicine
16 in this state certifies that a cat is too sick or injured to be spayed
17 or neutered, or that it would otherwise be detrimental to the health
18 of the cat to be spayed or neutered, the adopter or purchaser shall
19 pay the public animal control agency or shelter, society for the
20 prevention of cruelty to animals shelter, humane society shelter,
21 or *animal rescue group or adoption organization* a deposit of not
22 less than forty dollars (\$40), and not more than seventy-five dollars
23 (\$75).
24 (2) The entity shall establish the amount of the deposit at the
25 level it determines is necessary to encourage the spaying or
26 neutering of cats.
27 (3) The deposit shall be temporary, and shall only be retained
28 until the cat is healthy enough to be spayed or neutered, as certified
29 by a veterinarian licensed to practice veterinary medicine in this
30 state.
31 (4) The cat shall be spayed or neutered within 14 business days
32 of that certification.
33 (5) The adopter or purchaser shall obtain written proof of
34 spaying or neutering from the veterinarian performing the
35 operation.
36 (6) If the adopter or purchaser presents proof of spaying or
37 neutering to the entity from which the cat was obtained within 30
38 business days of obtaining the proof, the adopter or purchaser shall
39 receive a full refund of the deposit.

1 (c) Public animal control agencies or shelters, society for the
 2 prevention of cruelty to animals shelters, humane society shelters,
 3 and *animal rescue groups or adoption organizations* may enter
 4 into cooperative agreements with each other and with veterinarians
 5 in lieu of requiring spaying and neutering deposits to carry out this
 6 section.

7 (d) Any funds from unclaimed deposits made pursuant to this
 8 section, as it read on January 1, 1999, and any funds from deposits
 9 unclaimed after January 1, 2000, may be expended only for
 10 programs to spay or neuter cats and dogs, including agreements
 11 with a society for the prevention of cruelty to animals or a humane
 12 society or licensed veterinarian, to operate a program to spay or
 13 neuter cats and dogs.

14 (e) This section only applies to a county that has a population
 15 exceeding 100,000 persons as of January 1, 2000, and to cities
 16 within that county.

17 *SEC. 4. Section 31752 of the Food and Agricultural Code is*
 18 *amended to read:*

19 31752. (a) ~~The~~ *Except as provided in Section 17006, for any*
 20 *local governmental entity that receives block grant funding under*
 21 *Section 17581.8 of the Government Code, no stray cat admitted*
 22 *to a public or private shelter shall be euthanized or otherwise*
 23 *disposed of until after the expiration of the required holding period*
 24 *for a stray cat impounded pursuant to this division, which shall be*
 25 *six business days, not including the day of impoundment*
 26 *admission, except as follows:*

27 (1) If the public or private shelter has made the cat available for
 28 owner redemption on one weekday evening until at least 7 p.m.
 29 or one weekend day, the holding period shall be four business
 30 days, not including the day of ~~impoundment~~ *admission*.

31 (2) If the public or private shelter has fewer than three full-time
 32 employees or is not open during all regular weekday business
 33 hours, and if it has established a procedure to enable owners to
 34 reclaim their cats by appointment at a mutually agreeable time
 35 when the public or private shelter would otherwise be closed, the
 36 holding period shall be four business days, not including the day
 37 of ~~impoundment~~ *admission*.

38 ~~Except as provided in Sections 17006 and 31752.5, stray cats~~
 39 ~~shall be held for owner redemption during the first three days of~~
 40 ~~the holding period, not including the day of impoundment, and~~

1 ~~shall be available for owner redemption or adoption for the~~
2 ~~remainder of the holding period.~~

3 (b) (1) *In addition to the prohibition against euthanasia set*
4 *forth in subdivision (a), a stray cat admitted to a public or private*
5 *shelter shall be made available for owner redemption, adoption,*
6 *or release to an animal rescue or adoption organization during*
7 *the required holding period, as follows:*

8 (A) *Any stray cat with identification shall be held exclusively*
9 *for owner redemption during the entire holding period.*

10 (B) *Any stray cat without identification may be made available*
11 *for adoption or release to an animal rescue or adoption*
12 *organization at any time.*

13 (2) *Nothing in this section is intended to prevent an owner from*
14 *reclaiming his or her cat during or after any required holding*
15 *period, pursuant to applicable law, if the public or private shelter*
16 *still has physical possession of the cat.*

17 ~~(b)~~

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

30 ~~(e)~~

31 (d) *During the holding period required by this section and ~~prior~~*
32 *to before the adoption, release to an animal rescue or adoption*
33 *organization, or euthanasia of a cat ~~impounded~~ admitted pursuant*
34 *to this division, a public or private shelter shall scan the cat for a*
35 *microchip that identifies the owner of that cat and shall make*
36 *reasonable efforts to contact the owner and notify him or her that*
37 *his or her cat is ~~impounded~~ admitted and is available for*
38 *redemption.*

39 ~~(e)~~

1 (e) 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.

4 (f) As used in this section, “identification” means a microchip,
 5 a readily visible license tag, rabies vaccination tag, or other tag,
 6 tattoo, marking, or accessory that displays the identity or contact
 7 information of the owner or caretaker of the cat.

8 (g) As used in this section, an “animal rescue or adoption
 9 organization” is a for-profit or nonprofit, as described in Section
 10 501(c)(3) of the Internal Revenue Code, entity, or a collaboration
 11 of individuals with at least one of its purposes being the sale or
 12 placement of any cat that has been removed from a public animal
 13 control agency or shelter, society for the prevention of cruelty to
 14 animals shelter, or humane society shelter, or that has been
 15 previously owned by any person other than the original breeder
 16 of that cat.

17 SEC. 5. Section 31754 of the Food and Agricultural Code is
 18 amended to read:

19 31754. (a) Except as provided in Section 17006, for any local
 20 governmental entity that receives block grant funding under Section
 21 17581.8 of the Government Code, any animal relinquished by the
 22 purported owner or any other person with the authority to
 23 relinquish the animal that is of a species ~~impounded~~ admitted by
 24 public or private shelters may be made immediately available for
 25 adoption or release to an animal rescue or adoption organization,
 26 but if not so adopted or released, shall not be held for euthanized
 27 or otherwise disposed of until the expiration of the ~~same~~ holding
 28 periods, with the same requirements of care, period applicable to
 29 stray dogs and cats in Sections in Section 31108 and stray cats in
 30 Section 31752, ~~and shall be available for owner redemption or~~
 31 adoption for the entire holding period.

32 ~~(b) Notwithstanding subdivision (a), kittens or puppies~~
 33 ~~relinquished by the purported owner, or brought in by any other~~
 34 ~~person with authority to relinquish them, to public or private~~
 35 ~~shelters, may be available immediately for adoption.~~

36 ~~(c) This section shall become operative on July 1, 2002.~~

37 ~~(b) Nothing in this section is intended to require a public or~~
 38 ~~private shelter to admit an animal that is relinquished by the owner.~~

39 SEC. 6. Section 17581.8 is added to the Government Code, to
 40 read:

1 17581.8. (a) Funding apportioned pursuant to this section
2 shall constitute reimbursement pursuant to Section 6 of Article
3 XIII B of the California Constitution for the performance of any
4 state mandates included in the statutes and executive orders
5 identified in subdivision (e).

6 (b) (1) A city, county, city and county, or joint powers authority
7 may elect to receive block grant funding pursuant to this section.

8 (2) The State Department of Public Health shall administer the
9 block grant funding program established under this section.

10 (c) (1) A city, county, city and county, or joint powers authority
11 that elects to receive block grant funding pursuant to this section
12 in a given fiscal year shall submit a letter requesting funding to
13 the State Department of Public Health on or before August 30 of
14 the fiscal year in which the funding is available.

15 (2) The State Department of Public Health shall, no later than
16 November 30 of each fiscal year in which the funding is available,
17 apportion block grant funding appropriated under a specified item
18 under Section 2.00 of the annual Budget Act to a city, county, city
19 and county, or joint powers authority that submitted a letter to the
20 department requesting funding in that fiscal year according to the
21 provisions of that item.

22 (3) A city, county, city and county, or joint powers authority
23 that receives block grant funding pursuant to this section shall not
24 be eligible to submit claims to the Controller for reimbursement
25 pursuant to Section 17560 for any costs of any state mandates
26 included in the statutes and executive orders identified in
27 subdivision (e) incurred in the same fiscal year during which the
28 city, county, city and county or joint powers authority received
29 funding pursuant to this section.

30 (d) Block grant funding apportioned pursuant to this section is
31 subject to annual financial and compliance audits.

32 (e) If a city, county, city and county, or joint powers authority
33 elects to receive block grant funding under this section, any block
34 grant funds received by the city, county, city and county, or joint
35 powers authority shall be used to fund the costs of the following
36 programs and activities:

37 (1) Providing care and maintenance during the holding periods
38 for impounded animals imposed under Sections 31108 and 31752
39 of the Food and Agricultural Code.

1 (2) *Providing care and maintenance for four business days from*
 2 *the day after impoundment, or six business days from the day after*
 3 *impoundment, for impounded rabbits, guinea pigs, hamsters,*
 4 *pot-bellied pigs, birds, lizards, snakes, turtles, or tortoises, as*
 5 *legally allowed as personal property, pursuant to Section 31753*
 6 *of the Food and Agricultural Code.*

7 (3) *For impounded animals held for four business days after*
 8 *the day of impoundment, for either of the following purposes:*

9 (A) *Making the animal available for owner redemption on one*
 10 *weekday evening until at least 7:00 pm, or one weekend day.*

11 (B) *For those local agencies with fewer than three full-time*
 12 *employees or that are not open during all regular weekday business*
 13 *hours, establishing a procedure to enable owners to reclaim their*
 14 *animals by appointment at a mutually agreeable time when the*
 15 *agency would otherwise be closed, pursuant to Sections 31108,*
 16 *31752, and 31753 of the Food and Agricultural Code.*

17 (4) *Verifying whether a cat is feral or tame by using a*
 18 *standardized protocol prescribed in subdivision (c) to Section*
 19 *31752.5 of the Food and Agricultural Code.*

20 (5) *Posting lost and found animal lists pursuant to Section 32001*
 21 *of the Food and Agricultural Code.*

22 (6) *Maintaining records on animals that are not medically*
 23 *treated by a veterinarian, but are either taken up, euthanized after*
 24 *the holding period, or impounded, pursuant to Section 32003 of*
 25 *the Food and Agricultural Code.*

26 (7) *Providing “necessary and prompt veterinary care” for*
 27 *abandoned animals, other than injured cats and dogs given*
 28 *emergency treatment, pursuant to Sections 1834 and 1846 of the*
 29 *Civil Code.*

30 (f) *A city, county, city and county, or joint powers authority that*
 31 *elects not to apply for block grant funding under this section shall*
 32 *hold a public hearing, during which time it shall make a finding*
 33 *regarding its decision not to apply for that funding.*

34 *SEC. 7. If the Commission on State Mandates determines that*
 35 *this act contains costs mandated by the state, reimbursement to*
 36 *local agencies and school districts for those costs shall be made*
 37 *pursuant to Part 7 (commencing with Section 17500) of Division*
 38 *4 of Title 2 of the Government Code.*

39 ~~SECTION 1. Section 31108 of the Food and Agricultural Code~~
 40 ~~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 ~~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, 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, excluding the day of~~
14 ~~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, excluding the day of impoundment, and shall be available~~
18 ~~for owner redemption or adoption for the remainder of the holding~~
19 ~~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(e)(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 impose a fee,~~
29 ~~not to exceed the standard adoption fee, for animals adopted or~~
30 ~~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.~~

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

O