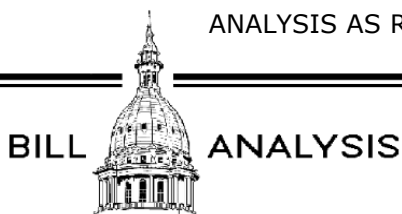




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Senate Bill 403 (as reported without amendment)  
Sponsor: Senator Marty Knollenberg  
Committee: Agriculture

Date Completed: 6-2-16

### **RATIONALE**

Until recently, some animal control shelters in Michigan used gas chambers to euthanize cats and dogs. A gas chamber is an enclosure that is flooded with carbon monoxide or carbon dioxide to asphyxiate an animal. The preferred method of euthanasia is by intravenous injection of sodium pentobarbital, a barbiturate that is lethal in high doses. Many people believe that euthanasia by injection (EBI) is more humane than the use of gas chambers. Reportedly, the last gas chamber used by a control shelter ceased operation in January 2016. While the use of gas chambers as a method of euthanasia apparently has been discontinued, it has been suggested that the State should require all animal control shelters to euthanize by injection only.

### **CONTENT**

The bill would amend Public Act 287 of 1969, which regulates pet shops and animal shelters, to provide that, beginning 60 days after the bill's effective date, euthanasia of a dog or cat that was physically located in an animal control shelter could be performed only by administering an injection of a commercially prepared solution as provided in Section 7333 of the Public Health Code.

(Section 7333 allows an animal control shelter to acquire a limited permit to buy, possess, and administer a prepared, premixed solution of sodium pentobarbital to euthanize an injured, sick, homeless, or unwanted domestic pet or animal, provided certain conditions are met.)

The bill's requirements would not apply to a veterinarian licensed under Part 188 (Veterinary Medicine) of the Public Health Code.

The bill would take effect 90 days after its enactment.

Proposed MCL 287.338b

### **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

#### **Supporting Argument**

According to the American Veterinary Medicine Association, euthanasia by injection is the preferred method for euthanizing dogs, cats, other small animals, and horses. While Michigan counties that were using a gas chamber to euthanize animals have responded to public pressure to eliminate euthanasia by gas chamber, it is possible that a chamber could be used again unless the practice is banned. The use of gas chambers to euthanize animals is widely regarded as a dangerous and inhumane practice, and has been discontinued by every Michigan county and many states. According to the Humane Society of the United States, at least 21 states had banned gas chambers as of May 2016. In contrast, EBI is a safe, humane, and cost-effective method of euthanizing shelter animals.

Gas chambers use gases that are toxic to humans as well as animals. The carbon monoxide or carbon dioxide typically used is colorless, tasteless, and odorless, which increases the risk of asphyxia. In addition, gas chambers have been reported to explode. Thus, if a gas chamber leaks, is otherwise faulty, or is improperly operated, a shelter worker is at risk of serious injury or death. According to the American Humane Association, injuries and fatalities have been reported from gas chamber explosions or shelter workers' accidental exposure to gases. In contrast, there have been few, if any, documented human injuries or deaths resulting from EBI.

Gas chamber euthanasia also poses a risk to the mental and emotional health of shelter staff. In general, professionals who care for animals experience heightened amounts of stress and emotional trauma. This is especially true in shelters that euthanize animals. Reportedly, compared with workers in shelters that perform EBI, shelter staff and technicians who perform gas chamber euthanasia are subject to a higher incidence of compassion fatigue.

As noted above, using gas chambers to euthanize pets is considered inhumane. According to various sources, a gas chamber cycle takes at least one minute to render an animal unconscious, and can take up to 25 minutes to kill the animal. While conscious, the animal experiences fear, anxiety, and stress. In the case of a pregnant animal, the mother may die during the gas chamber cycle, but the fetuses are not killed by the gas and suffocate in utero. On occasion, sick, injured, young, and old animals may survive the cycle because of physiological complication. An ineffective cycle can result in seriously adverse health effects, which cause pain, suffering, prolonged stress, and trauma for the animal. In contrast, EBI typically causes loss of consciousness within three to five seconds, with death occurring within two to five minutes, according to the American Humane Association. There are certain instances in which EBI might not be practical, comfortable, or safe for the animal, e.g., an older animal with collapsed veins. In such circumstances, under the bill, a licensed veterinarian could still use gas to euthanize an animal.

Also, euthanasia by gas chamber has been shown by studies to be more expensive than EBI. According to an American Humane Association-commissioned study using data from North Carolina animal shelters, EBI costs were approximate \$2.29 per animal. Gas chamber euthanasia costs ranged between \$2.77 and \$4.98 per animal, making EBI a cheaper alternative.

Legislative Analyst: Jeff Mann

### **FISCAL IMPACT**

The bill's requirement to euthanize animals by injection would have no fiscal impact on State or local government, as all animal control facilities in the State that would be affected by the bill already engage in the practice of euthanasia by injection.

In addition, a violation of the Act is a misdemeanor punishable by up to 90 days' imprisonment and/or a maximum fine of \$500 (the "default" penalty under the Michigan Penal Code that applies to a misdemeanor for which no other penalty is established). An increase in misdemeanor arrests and convictions could increase resource demands on local court systems, law enforcement, and jails. Any associated increase in fine revenue would be dedicated to public libraries.

Fiscal Analyst: Bruce Baker  
Ryan Bergan

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.