

1 SENATE BILL NO. 504
2 INTRODUCED BY W. CURDY

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING AN ANIMAL SHELTER TO PROVIDE CARE TO
5 STRAY ANIMALS; PROVIDING A DEFINITION; ~~AND~~ AMENDING SECTIONS 37-18-101 AND 37-18-104,
6 MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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10 **Section 1.** Section 37-18-101, MCA, is amended to read:

11 **"37-18-101. (Temporary) Definitions.** Unless the context requires otherwise, in this chapter the
12 following definitions apply:

13 (1) "Board" means the board of veterinary medicine provided for in 2-15-1742.

14 (2) "Department" means the department of labor and industry provided for in Title 2, chapter 15,
15 part 17.

16 **37-18-101. (Effective January 1, 2023) Definitions.** Unless the context requires otherwise, in this
17 chapter the following definitions apply:

18 (1) "Board" means the board of veterinary medicine provided for in 2-15-1742.

19 (2) "Department" means the department of labor and industry provided for in Title 2, chapter 15,
20 part 17."

21 (3) "Direct supervision" means direction on an animal patient's care provided by a veterinarian
22 licensed under this chapter who is on the premises and readily available to take over direct care or to consult
23 on animal care directly with a licensed veterinary technician.

24 (4) "Emergency" means a life-threatening condition in which immediate treatment is necessary to
25 sustain life or, if death is imminent, to relieve pain and suffering.

26 (5) "Immediate supervision" means direction on an animal patient's care provided by a veterinarian
27 licensed under this chapter who is within direct eyesight and hearing range of a licensed veterinary technician.

28 (6) "Indirect supervision" means direction on an animal patient's care provided by a veterinarian

Amendment - 1st Reading-white - (S) Local Government

- 2023

68th Legislature 2023

Drafter: Toni Henneman, 406-444-3593

SB0504.001.001

- 1 (e) the use of specific drugs necessary for safe and proper practice of certified procedures;
- 2 (f) content and administration of the certification test, including written and practical testing;
- 3 (g) application and reexamination procedures; and
- 4 (h) conduct of certified individuals, including rules for suspension, revocation, and denial of
- 5 certification.

6 (4) This chapter does not prohibit:

7 (a) a person from caring for and treating the person's own farm animals or being assisted in this
8 treatment by the person's full-time employees, as defined in 2-18-601, employed in the conduct of the person's
9 business or by other persons whose services are rendered gratuitously in case of emergency; or

10 (b) an animal shelter from caring for and treating the animal shelter's own animals and stray
11 animals or being assisted in this treatment by the animal shelter's employees, as defined in 2-18-601, employed
12 in the conduct of the animal shelter's business or by other persons whose services are rendered gratuitously in
13 case of emergency.

14 (5) This chapter does not prohibit the selling of veterinary remedies and instruments by a
15 registered pharmacist at the pharmacist's regular place of business.

16 (6) This chapter does not prohibit an employee of a licensed veterinarian from performing activities
17 determined by board rule to be acceptable, when performed under the direct, immediate, or indirect supervision
18 of the employing veterinarian. The board shall adopt rules regarding which veterinary practices may be
19 performed under direct, immediate, or indirect supervision by a licensed veterinary technician.

20 (7) This chapter does not prohibit an employee of a licensed veterinarian from rendering care for
21 that veterinarian's animal patients in cases of emergency. Permissible emergency employee activities under
22 this subsection include activities determined by board rule to be acceptable but do not include the performance
23 of surgery or the rendering of diagnoses.

24 (8) This chapter does not prohibit a certified agency from possessing, or a certified euthanasia
25 technician from administering, any controlled substance authorized by the board for the purpose of euthanasia
26 pursuant to part 6 of this chapter."

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NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval.