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Citation: **Tenn Code Ann 44-17-303**

Tenn. Code Ann. § 44-17-303

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*** CURRENT THROUGH THE 2006 SESSION ***
*** ANNOTATIONS CURRENT THROUGH FEBRUARY 6, 2007 ***

Title 44 Animals And Animal Husbandry
Chapter 17 Dogs and Cats
Part 3 -Nonlivestock Animal Humane Death Act

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Tenn. Code Ann. § 44-17-303 (2007)

44-17-303. Methods allowed.

(a) Sodium pentobarbital and such other agents as may be specifically approved by the rules of the board of veterinary medicine shall be the only methods used for euthanasia of nonlivestock animals by public and private agencies, animal shelters and other facilities operated for the collection, care and/or euthanasia of stray, neglected, abandoned or unwanted nonlivestock animals. A lethal solution shall be used in the following order of preference:

- (1) Intravenous injection by hypodermic needle;
- (2) Intraperitoneal injection by hypodermic needle;
- (3) Intracardial injection by hypodermic needle, but only if performed on heavily sedated, anesthetized or comatose animals; or
- (4) Solution or powder added to food.

(b) A nonlivestock animal may be tranquilized with an approved and humane substance before euthanasia is performed.

(c) Succinylcholine chloride, curare, curariform mixtures, strychnine, nicotine, chloral hydrate, magnesium or potassium or any substance which acts as a neuromuscular blocking agent, or any chamber which causes a change in body oxygen may not be used on any nonlivestock animal for the purpose of euthanasia. Any such chamber in use as of July 1, 2001, shall be phased out and shall not be used on or after July 1, 2002.

(d) Euthanasia shall be performed only by a licensed veterinarian, Tennessee veterinarian medical technician or an employee or agent of a public or private agency, animal shelter or other facility operated for the collection, care and/or euthanasia of stray, neglected, abandoned or unwanted nonlivestock animals, provided that the Tennessee veterinarian medical technician, employee or agent has successfully completed a euthanasia-technician certification course. The curriculum for such course must be approved by the board of

veterinary medical examiners and must include, at a minimum, knowledge of animal anatomy, behavior and physiology; animal restraint and handling as it pertains to euthanasia; the pharmacology, proper dosages, administration techniques of euthanasia solution, verification of death techniques, laws regulating the storage, security and accountability of euthanasia solutions; euthanasia technician stress management and the proper disposal of euthanized nonlivestock animals.

(e) An employee, agent or Tennessee veterinarian medical technician performing euthanasia prior to July 1, 2001, who previously passed an approved euthanasia-technician certification course will be accepted as qualified under the Nonlivestock Animal Humane Death Act to perform euthanasia on nonlivestock animals. Any other employee, agent or Tennessee veterinarian medical technician seeking to perform euthanasia on nonlivestock animals on or after July 1, 2001, must obtain certification prior to performing any such euthanasia.

(f) A nonlivestock animal may not be left unattended between the time euthanasia procedures are first begun and the time that death occurs, nor may its body be disposed of until a qualified person confirms death.

(g) Notwithstanding the provisions of this section or any other law to the contrary, whenever an emergency situation exists in the field which requires the immediate euthanasia of an injured, dangerous or severely diseased nonlivestock animal, a law enforcement officer, a veterinarian, or agent of a local animal control unit or the designee of such an agent may humanely destroy the nonlivestock animal.

(h) For purposes of this part, "nonlivestock animal" shall have the meaning set forth in § 39-14-201(3).

(i) The attorney general may bring an action to enjoin any violation of the Nonlivestock Animal Humane Death Act.

(j) Any person who violates the provisions of the Nonlivestock Animal Humane Death Act is guilty of a Class A misdemeanor.

(k) These provisions shall not apply to exotic animals being held under the authority of title 70, chapter 4, part 4, and Rule 1660-1-18-.05 of the Official Compilation of Rules and Regulations of the State of Tennessee.

HISTORY: [Acts 1980, ch. 482, § 3; 1997, ch. 106, §§ 8, 9; 2001, ch. 70, § 1.]

NOTES:

Amendments.

The 2001 amendment rewrote the section which read:

"No dog or cat shall be destroyed by any agency subject to the provisions of this part, except by the following methods:

"**(1)** In chambers using carbon monoxide. This method may not be used on puppies and kittens under four (4) months old. Where there is doubt as to the age of any puppy or kitten, the opinion, as to age, of any veterinarian licensed by the state of Tennessee shall be binding;

"**(2)** For puppies and kittens under four (4) months of age, chambers using chloroform may be used;

"**(3)** By the nitrogen inhalation method. Such method provides that nitrogen be injected

into a chamber such that the oxygen content of the air within the chamber is reduced from a normal of twenty-one percent (21%) to one and a half percent (1.5%) or less within sixty (60) seconds. Only pure nitrogen in cylinders may be used. This method may not be used on puppies and kittens under four (4) months old. Where there is doubt as to the age of any puppy or kitten, the opinion of any veterinarian licensed by the state of Tennessee as to the age of any such puppy or kitten shall be binding;

"(4) In any system using chambers herein approved, cats shall not be put in the same chamber as dogs and the chambers shall not be overcrowded; and

"(5) Notwithstanding any provision of this section, any animal shelter, dog pound, animal control agency, or humane shelter as defined in § 44-17-302, currently using or which has used prior to January 1, 1980, the drug sodium pentobarbital or other barbiturate to destroy a dog or cat, shall be permitted to continue using such drug to destroy a dog or cat. Animal shelters, dog pounds, animal control agencies or humane associations as defined in this section may also use other drugs as authorized for use in certified animal control agencies by the board of veterinary medical examiners pursuant to title 63, chapter 12, or as otherwise provided by law; and

"(6) Sodium pentobarbital or such other drugs as authorized by the board of veterinary medical examiners shall be the only drugs used by certified animal control agencies for the euthanasia of animals as provided by title 63, chapter 12."

Effective Dates.

Acts 2001, ch. 70, § 3. July 1, 2001.

Cross-References.

Penalty for Class A misdemeanor, § [40-35-111](#).

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