



Animals

Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](https://www.mtas.tennessee.edu)). This website is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

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Reference Number: MTAS-248

Animal (Rabies) Control; Animal Euthanasia

Beginning July 1, 2005, state law provides for an anti-rabies program under the State Department of Health. Municipalities may enact local ordinances requiring registration of dogs and cats. Fees must be used in the rabies or animal control program.

Municipalities with their own rabies control programs are exempt from this law as long as the local program meets the minimum requirements of this law. T.C.A. §§ 68-8-101, *et seq.*

T.C.A. §§ 44-17-301–303 govern the manner of destroying non-livestock animals, including dogs and cats, in municipal animal shelters. However, T.C.A. § 63-12-141 requires the Board of Veterinary Medical Examiners to certify qualified persons as animal euthanasia technicians. That statute also allows only licensed veterinarians, licensed animal technicians who work under the supervision of a veterinarian, and certified animal euthanasia technicians to perform animal euthanasia. An animal that is euthanized by intracardial injection must first be tranquilized. Animals otherwise euthanized may, but do not have to be, tranquilized. Before an agency euthanizes an animal the agency knows or should know has an owner, the agency must hold the animal for three business days, except in emergencies.

T.C.A. § 44-17-303 requires that a veterinary technician also must have successfully completed a euthanasia certification course before administering euthanasia. It is a Class A misdemeanor for individuals or entities to imply that they have been granted a certificate by the Board of Veterinary Medical Examiners unless such a certificate has been granted. The Tennessee Spay/Neuter Law (§ 44-17-502) provides for the neutering of dogs and cats before or after adoption from an animal shelter.

All forfeited deposits paid to animal control agencies must be used for conducting spay and neuter programs in the community where the agency is located. See T.C.A. § 44-17-503 for population exceptions.

Dogs at Large

T.C.A. § 44-8-408 makes it a crime for a dog to run at large. Punishment depends on the nature of the dog and the damage done by the dog. It is a Class C misdemeanor for a dog to run at large and cause no property damage or bodily injury. Instances in which there is property damage or bodily injury are greater crimes. There are several defenses listed in that law.

Chemical Capture of Dogs and Cats

T.C.A. § 44-17-601 allows approved agencies and certified chemical capture technicians to use sedation to capture dogs and cats when other methods of capture have failed. Chemical capture may be done using only Telazol or other drugs approved by the Board of Veterinary Medical Examiners. The drugs may be administered only by a licensed veterinarian or licensed veterinarian technician under the direct supervision of the veterinarian, or by a certified animal capture technician.

Under T.C.A. § 63-12-144 the Board of Veterinary Medical Examiners must issue a certificate to public animal control agencies authorizing chemical capture when the board determines the agency is qualified. The agency must apply, must submit a fee, and have a written protocol for chemical capture. Chemical capture technicians must be board certified. It is a Class B misdemeanor to engage in chemical capture without certification or to impersonate a chemical capture technician.

DISCLAIMER: The letters and publications written by the MTAS consultants were written based upon the law at the time and/or a specific sets of facts. The laws referenced in the letters and publications may have changed and/or the technical advice provided may not be applicable to your city or circumstances. Always consult with your city attorney or an MTAS consultant before taking any action based on information contained in this website.

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