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2 (20)(a) In consultation with experts in the fields of animal sheltering,
3 veterinary medicine, public health and safety, and other professional and
4 technical personnel deemed appropriate, formulate emergency operation plans
5 for the humane evacuation, transport, and temporary sheltering of service
6 animals and household pets in times of emergency or disaster that:

7 (i) Require that persons with disabilities who utilize service animals are
8 evacuated, transported, and sheltered with those service animals.

9 (ii)(aa) Identify or establish, as the case may be, a sufficient number of
10 evacuation shelters that are in close proximity to a human sheltering facility
11 designed and equipped to accept and temporarily house household pets and
12 canine search and rescue teams.

13 (bb) Develop guidelines for such "side by side" shelters which may
14 include standards or criteria for admission to such shelters, health and safety
15 standards, protocols, and procedures for ensuring adequate sheltering,
16 management, and veterinary staffing for such shelters.

17 (iii)(aa) Enable, wherever possible, joint pet-owner evacuation for
18 disabled, elderly, special needs residents, and all other residents whenever such
19 evacuations can be accomplished without endangering human life.

20 (bb) The office shall establish an identification system to ensure that
21 household pet owners who are separated from their household pets during an
22 evacuation are provided with all information necessary to locate and reclaim
23 such household pet. In establishing such identification system, a tracking
24 number system shall be developed.

25 (iv) Allow household pets in cages or carriers, that safely and securely
26 confine such pets and are specifically designed for the containment and
27 transport of such pets to utilize public transportation during an impending
28 disaster, when doing so does not endanger human life. If such pets are not
29 allowed to use public transportation, separate transportation shall be provided

1 for these pets to the shelter in closest proximity to the human sheltering facility
2 in which the animal's owner or custodian will be temporarily housed when such
3 location is known. If the location of the owner or custodian is not known,
4 transportation to the nearest evacuation shelter shall be provided.

5 (v) Direct animal shelters, humane societies, veterinary offices, boarding
6 kennels, breeders, grooming facilities, hospitals, schools, animal testing
7 facilities, and any other businesses or not for profit agencies that normally
8 house pets or service animals to create evacuation plans for such animals
9 consistent with the provisions of this Paragraph. Such plans shall be made
10 available to the public upon request and shall be filed annually with the
11 Louisiana Department of Agriculture and Forestry, office of animal health
12 services and with their respective parish office of homeland security and
13 emergency preparedness.

14 (vi) Implement a public information program to provide guidance to
15 household pet owners in formulating their own evacuation plans for their
16 household pets and service animals, inform such pet owners of the resources
17 available to assist them in such evacuations, and apprise such pet owners of the
18 location and other relevant guidelines for the shelters in their area that accept
19 pets.

20 (b) In creating disaster operation plans for household pets and service
21 animals, the office shall consult with each agency designated by each parish
22 homeland security and emergency preparedness agency to provide evacuation,
23 transportation, and sheltering functions as provided for in R.S. 29:729(E)(13).

24 (c) For the purposes of this Paragraph, "service animal" shall mean any
25 animal that assists or performs tasks for a person with a sensory, emotional,
26 mental, or physical disability.

27 (d) For the purposes of this Paragraph, "household pet" shall mean any
28 cat, dog, and other domesticated animal normally maintained in the household
29 of the owner or person who cares for such domesticated animal.

1 evacuation are provided with all information necessary to locate and reclaim
2 such household pet. In establishing such identification system, a tracking
3 number system shall be developed with one number being used exclusively and
4 consistently in association with and for the same household pet until such time
5 as the household pet is reunited with its owner.

6 (iv) Allow household pets in cages or carriers that safely and securely
7 confine such pets and are specifically designed for the containment and
8 transport of such pets, to use public transportation during mandatory
9 evacuations when doing so does not endanger human life. If such pets are not
10 allowed to use public transportation, separate transportation shall be provided
11 for these pets to the shelter in closest proximity to the human sheltering facility
12 in which the animal's owner or custodian will be temporarily housed when such
13 location is known.

14 (v) Establish protocols which authorize the parish designated animal
15 control, animal sheltering, or animal care agency in each parish to develop "side
16 by side" evacuation of household pets.

17 (vi) Require that animal shelters, humane societies, veterinary offices,
18 boarding kennels, breeders, grooming facilities, hospitals, schools, animal
19 testing facilities, and any other businesses or not for profit agencies that
20 normally house household pets or service animals, create evacuation plans for
21 such animals consistent with the provisions of this Paragraph. Such plans shall
22 be made available to the public upon request and shall be filed annually with
23 the Louisiana Department of Agriculture and Forestry and with their respective
24 parish homeland security and emergency preparedness agency.

25 (vii) Implement a public information program to provide guidance to
26 household pet owners in formulating their own evacuation plans for their
27 household pets and service animals, inform such pet owners of the resources
28 available to assist them in such evacuations, and apprise such pet owners of the
29 location, admission criteria, and other relevant guidelines for shelters in their

1 area that accept household pets.

2 **(b)(i) In creating emergency operation plans pursuant to this Paragraph,**
3 **the parish office of homeland security and emergency preparedness may**
4 **delegate any or all of the evacuation, transportation, sheltering, or other**
5 **functions delineated herein to the agency with authority over animal control or**
6 **animal related issues in that parish which shall serve as the primary department**
7 **or local entity provided however, that such primary department or local entity**
8 **may delegate any or all such functions to public or private agencies with**
9 **expertise in the areas of animal control, animal sheltering, or animal care.**

10 **(ii) Any parish office of homeland security and emergency preparedness**
11 **that chooses to designate a local parish department or local entity as the**
12 **primary department or entity authorized to coordinate and provide for the**
13 **evacuation, transportation, or sheltering of household pets and service animals**
14 **shall provide written notification to the Department of Agriculture and Forestry**
15 **and the state office of homeland security and emergency preparedness as to the**
16 **primary department's or entity's physical location and contact information.**
17 **The Department of Agriculture and Forestry and the state office of homeland**
18 **security and emergency preparedness shall coordinate with such designated**
19 **primary department or entity as to their duties relative to the evacuation,**
20 **transportation, and sheltering of household pets and service animals.**

21 **(c) For the purposes of this Paragraph, "service animal" shall mean any**
22 **animal that assists or performs tasks for a person with a sensory, emotional,**
23 **mental, or physical disability.**

24 **(d) For the purposes of this Paragraph, "household pet" shall mean any**
25 **cat, dog, and other domesticated animal normally maintained in or near the**
26 **household of the owner or person who cares for such domesticated animal.**

27 **(14)** Do other things necessary, incidental, or appropriate for the
28 implementation of this Chapter.

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1 §733.1. Limitation of liability of owner or operator of facilities

2 Any person or organization, public or private, owning or operating
3 immovable property or other premises who voluntarily and without compensation
4 grants a license or privilege or otherwise permits the designation by the state or local
5 homeland security and emergency preparedness agency or use of the whole or any
6 part of the immovable property or premises for the purpose of sheltering persons **or**
7 **household pet or service animals** during an actual, impending, mock, or practice
8 emergency, together with his successor in interest, if any, shall not be liable for the
9 death of, or injury to, any person **or household pets or service animals** on or about
10 such immovable property or premises during the actual, impending, mock, or
11 practice emergency, or for loss of, or damage to, the property of such person, solely
12 by reason or as a result of the license, privilege, designation, or use, unless the gross
13 negligence or the willful and wanton misconduct of the person owning or operating
14 the immovable property or premises or his successor in interest is the proximate
15 cause of the death, injury, loss, or damage occurring during the sheltering period.

16 Section 2. This Act shall become effective upon signature by the governor or, if not
17 signed by the governor, upon expiration of the time for bills to become law without signature
18 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
19 vetoed by the governor and subsequently approved by the legislature, this Act shall become
20 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Cathy R. Wells.

DIGEST

Proposed law requires the state office of homeland security and emergency preparedness and each parish homeland security and emergency preparedness agency to consult with experts in the fields of animal sheltering, veterinary medicine, public health and safety, and other professional and technical personnel deemed appropriate to formulate emergency operation plans for the humane evacuation, transport, and temporary sheltering of service animals and household pets in times of emergency or disaster.

Proposed law requires such emergency operation plans to:

- (1) Require that persons with disabilities who utilize service animals are evacuated, transported, and sheltered with those service animals.

- (2) Identify or establish, as the case may be, a sufficient number of shelters that are in close proximity to a human sheltering facility designed and equipped to accept and temporarily house household pets and canine search and rescue teams.
- (3) Develop guidelines for such shelters which may include standards or criteria for admission to such shelters, health and safety standards, protocols, and procedures for ensuring adequate sheltering, management and veterinary staffing for such shelters.
- (4) Enable, wherever possible, joint pet owner evacuation for disabled, elderly, special needs residents, and all other residents whenever such evacuations can be accomplished without endangering human life.
- (5) Establish an identification system to ensure that household pet owners who are separated from their household pets during an evacuation are provided with all information necessary to locate and reclaim such household pet.
- (6) Allow household pets in cages or carriers, that safely and securely confine such pet and are specifically designed for the containment and transport of such household pets to use public transportation, during mandatory evacuations when to do so does not endanger human life or provide for the separate transport of household pets to the shelter in closest proximity to the human sheltering facility in which the animal's owner or custodian will be temporarily housed when such location is known.
- (7) Require animal shelters, humane societies, veterinary offices, boarding kennels, breeders, grooming facilities, hospitals, schools, animal testing facilities, and any other businesses or not for profit agencies that normally house household pets or service animals to create evacuation plans for such animals consistent with the provisions of proposed law. Requires such plans to be made available to the public upon request and to be filed annually with the Louisiana Department of Agriculture and Forestry and the respective parish office of homeland security and emergency preparedness pursuant to rules and regulations promulgated.
- (8) Implement a public information program to provide guidance to residents in formulating their own evacuation plans for their household pets and service animals, inform such pet owners of the resources available to assist them in such evacuations, and apprise pet owners of the location and other relevant guidelines for the shelters in their area that accept household pets.
- (9) Consult with each agency designated by each parish homeland security and emergency preparedness agency to provide evacuation, transportation, and sheltering functions.

Proposed law requires that any parish office of homeland security and emergency preparedness that chooses to designate a local parish department or local entity as the primary department or entity authorized to coordinate and provide for the evacuation, transportation, or sheltering of household pets and service animals to provide written notification to the Dept. of Agriculture and Forestry and the state office of homeland security and emergency preparedness as to the primary department's or entity's physical location and contact information. Proposed law further requires Dept. of Agriculture and Forestry and the state office of homeland security and emergency preparedness to coordinate with such designated primary department or local entity as to their duties relative to the evacuation, transportation, and sheltering of household pets and service animals.

Proposed law defines:

- (1) "Service animal" as any animal that assists or performs tasks for a person with a sensory, emotional, mental, or physical disability.

- (2) "Household pet" as any cat, dog, and other domesticated animal normally maintained in or near the household of the owner or person who cares for such domesticated animal.

Present law provides for a limitation of liability of an owner or operator of any facility who voluntarily and without compensation grants a license or privilege or otherwise permits the state or local homeland security and emergency preparedness agency use of the facility for the purpose of sheltering persons during an actual, impending, mock, or practice emergency unless the gross negligence or the willful and wanton misconduct of the person owning or operating the facility or his successor in interest in the proximate cause of the death, injury, loss, or damage occurring during the sheltering period.

Proposed law retains present law and provides for a limitation of liability of the owner or operator of any facility who voluntarily and without compensation grants a license or privilege or otherwise permits the state or local homeland security and emergency preparedness agency use of the facility for the purpose of sheltering household pets or service animals during an actual, impending, mock, or practice emergency unless the gross negligence or the willful and wanton misconduct of the person owning or operating the facility or his successor in interest in the proximate cause of the death, injury, loss, or damage occurring during the sheltering period.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 29:726(E)(20), 729(E)(13) and 733.1; adds R.S. 29:726(E)(21) and 729(E)(14))