

Law of the State Animal Control Office Attached to the Department. of Health

Law No. 36 of May 30, 1984, as amended

(Contains amendments incorporated by the following laws:

Law No. 242 of August 30, 2000

[Law No. 427 of September 22, 2004](#))

To provide for the establishment and operation of Regional Animal Shelters in the Commonwealth of Puerto Rico.

STATEMENT OF MOTIVES

The purpose of this measure is to exercise necessary control in the animal population of Puerto Rico, through the establishment of Regional Animal Shelters for all municipal jurisdictions of the Commonwealth of Puerto Rico. These shelters would also function as adoption centers and low-cost sterilization clinics for animals. This would offer interested citizens and animal lovers a suitable place to get a pet that meets the desirable health and other conditions, at the same time it would give the animal the opportunity to find a home where it can live surrounded by love within a family atmosphere. The services of these shelters would also allow better care for pets in various areas, when necessary. The Regional Shelters would emphasize birth control in animals with the aim of helping to reduce the serious problem of animal overpopulation that exists in the country. In this way, the number of animals available for adoption would be better matched with the number of households willing to adopt them. It is clear that the problem of excess animal population would not be solved by collecting real or sick animals from the streets as long as animal owners allow them to procreate freely, then throwing those animals they do not wish to retain onto the streets. This, in addition to the problem it creates in the community, is unfair and cruel for the animals by allowing them to be born and then be sacrificed.

There is no doubt that given the problem presented, the development of an adequate program of shelters or shelters for animals such as the one provided by this law is desirable and necessary.

It is decreed by the Legislative Assembly of Puerto Rico:

Law of the State Animal Control Office Attached to the Department
of Health [Law 36 of May 30, 1984, as amended]

Article 1. — (21 LPRA § 1094)

The State Office of Animal Control (OECA) is created, attached to the Department of Health. This office will have the function of implementing this Law in accordance with its provisions, always ensuring that ethical treatment of animals in these shelters is complied with. The OECA, attached to the Department of Health, under the Environmental Health Program must follow all the good governance administrative guidelines to which this Department subscribes.

The powers of the OECA will be exercised by the Executive Director who will be a suitable person with vast knowledge in the behavior, psychology and control of the animal population, appointed by the Secretary of Health.

The Executive Director must as a first action study the "Animal Control Program" and submit a corresponding work program for the approval of the Secretary of Health. This program covers three (3) basic areas. 1) Development of Protocols and Regulations in consultation with experts in the area of animal control, College of Veterinarians, Animal Protection Entities and interested citizens. 2) Strategy to carry out proactive management to organize and incentivize municipalities through funding subsidies so that they collect and control their real animals. 3) Development of an educational program that functions as a resource and tool for OECA public relations.

Article 2. — (21 LPRA § 1094-1)

The Municipalities of the Commonwealth of Puerto Rico are empowered to cooperate and help the OECA to establish, operate, build and integrate and/or contribute through contributions between Municipalities, in coordination with the Department of Health of Puerto Rico, Regional Shelters of Animals, for the purposes of temporarily housing real animals and developing a collection and adoption program and sterilization clinics for animals.

The collection of royal animals by the municipalities, in accordance with a protocol established by the OECA, will be the priority provision of what is stated in this Law and is a requirement in any attempt to implement it. The other provisions to carry out control through sterilization and better treatment through adoption of real animals remain in force. These services will be carried out by the municipalities according to their motivation and commitment to dedicate resources to their municipal animal control programs.

Article 3. — (21 LPRA § 1094a)

The organization, administration, operation, regulation and integration of the animal shelters referred to in Article 2 may be implemented by the OECA with municipal, state, federal funds or a combination of these and/or private donations towards these purposes.

The aforementioned Regional Shelters will be located in each of the eight regions into which the Country is divided for the purposes of the Environmental Health Division of the Department of Health. Each Municipality that receives services will contribute to the maintenance and operation of the shelters according to its population area and the number of animals cared for in the shelter through contracts.

Article 4. — (21 LPRA § 1094b)

The Executive Director, in consultation with the Secretary of Health, will appoint a Board of Directors for each region with representation of any entity interested in the protection of animals in Puerto Rico, which may exercise those executive and administrative functions and powers that are granted to it. under the provisions of this law by delegation of the OECA. Each of the towns that make up the different regions must be adequately represented on the corresponding Board of Directors and it will be ensured that there is satisfactory citizen participation in them. Licensed veterinarians and representatives of government agencies or private entities that perform functions related to the protection and well-being of animals must be part of it.

Article 5. — (21 LPRA § 1094c)

The Secretary of Health or his authorized representatives will exercise due supervision over regional animal shelters and sterilization clinics and will ensure that all applicable public health and sanitation laws and regulations are complied with in the construction and operation of the same, as well as as any other requirement demanded by the Department of Health.

Article 6. — (21 LPRA § 1094d)

In order to comply with the purposes of this Law and without being understood to have limiting effects, the OECA may exercise the following powers:

1. Appoint, hire, train and supervise the necessary qualified personnel, including professional services such as Veterinary Doctors, duly licensees and an Administrator for each of the Shelters. Administrators must be suitable people, who have studied animal management and behavior and demonstrate that they have the knowledge and/or experience required for the position. The rest of the staff must be adequately trained for the work to be performed and must demonstrate the skill, character and desire necessary to provide the animals with appropriate treatment.
2. Hire and acquire through any legal means all kinds of goods or services necessary for compliance with this Law, including land, buildings, plans and designs. Additionally, any other expenses necessary for the effective execution and administration of the Law may be incurred.
3. Formulate and adopt, in consultation with the Department of Health, the rules and regulations necessary for the adequate and effective implementation of this Law. The aforementioned regulations must establish in general terms, the way in which it will be constructed, Regional Shelters should be developed and administered, including requirements for staff selection. It will also provide for the terms and conditions under which animals deposited in shelters may be rescued by their owners or adopted.

Provided, however, that every animal that is adopted or rescued from the shelter must be duly identified, sterilized and vaccinated against common diseases that affect dogs and cats and in this way protect the public from contracting zoonotic diseases.

Law of the State Animal Control Office Attached to the Department
of Health [Law 36 of May 30, 1984, as amended]

4. Request and obtain any funds, donations or aid from the Federal Government, the Government of the Commonwealth of Puerto Rico, including its agencies, instrumentalities and public corporations, as well as from individuals, companies or private entities, to comply with the purposes established in this Law.

5. You will have the obligation to draft the Regulations that will govern each regional hostel and the presentation of the same for approval by the Board of Directors of the shelter.

6. Collaborate in the establishment and implementation of an adequate animal identification system through a registry of dogs, cats, horses and other pets in Puerto Rico.

7. Exercise any other powers and attributions incidentally necessary and convenient to carry out the purposes of this Law.

Article 7. — (21 LPRA § 1094e)

The buildings where the shelters will be located must be located in areas not susceptible to flooding and have appropriate drainage and ventilation facilities. They must also be adequately protected against the risk of fire. These physical facilities will have separate areas intended to house sick and unwanted animals, in order not to contaminate healthy animals that are candidates for adoption.

Article 8. — (21 LPRA § 1094f)

In those cases in which it is determined that an animal deserves euthanasia, this will be carried out humanely by a veterinarian.

Article 9. — (21 LPRA § 1094g)

For the purposes of this law, the following terms will have the meaning expressed below:

Municipality. — Any municipality now existing or hereafter created in the Commonwealth of Puerto Rico.

Authorized representative of the Secretary of Health. — It will include the Auxiliary Secretary, the Regional Directors assigned to the Auxiliary Secretariat of Environmental Health, the Environmental Health Inspectors and Officials at the central, regional and local levels.

Licensed veterinarian. — Professional who has been duly authorized to practice veterinary medicine in Puerto Rico, and also belongs to the College of Veterinary Doctors of Puerto Rico.

Realistic animal. — Animal that is outside the control of its owner, or that has no known owner and is without proper identification.

Article 10. — This Law will take effect immediately after its approval.

Law of the State Animal Control Office Attached to the Department. of
Health [Law 36 of May 30, 1984, as amended]

See also [Law 154-2008 "Law for the Welfare and Protection of Animals"](#).

Note. This document was compiled by staff from the [Office of Management and Budget](#) of the Government of Puerto Rico, as a means of alerting users of our Library of the latest amendments approved for this Law.

Although we have put all our effort into preparing it, this is not an official compilation and may not be completely free of inadvertent errors; which, when made aware, are immediately corrected ([email: OGP library](mailto:OGP library)).

All the amendments made to the Law have been incorporated in it in order to facilitate its consultation. For accuracy and precision, refer to the original texts of said law and the collection of Annotated Laws of Puerto Rico LPRA. The annotations in italics and in brackets added to the text are not part of the Law; They are only included in the case in which a law was repealed and has been replaced by another that is in force. Internet links are only directed to government sources. Links to the amending laws belong to the Office of [Legislative Services](#) website of the Legislative Assembly of Puerto Rico. Links to federal laws are from the [US Government Publishing Office GPO](#) website. of the United States of America. The links to the Governor's Regulations and Executive Orders belong to the [Department of State](#) website. of the Government of Puerto Rico. Compiled by the Library of the Office of Management and Budget.

See also the [Original Version of this Law](#), as approved by the Legislature of Puerto Rico.

Check the OGP Virtual Library for the **Latest Revised Copy** (Rev.) for this build.

Go to: www.ogp.pr.gov Virtual Library Reference Laws—ANIMALS.