

Laws and Regulations Relating to

RABIES

Excerpts from the

California Health and Safety Code

and the

California Code of Regulations



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DIVISION OF COMMUNICABLE DISEASE CONTROL
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California Health and Safety Code

121575. "Rabies," as used in this chapter, includes rabies, and any other animal disease dangerous to human beings that may be declared by the department as coming under this chapter.

121580. "Quarantine," as used in this chapter, means the strict confinement, upon the private premises of the owner, under restraint by leash, closed cage, or paddock, of all animals specified in the order of the department.

121585. "Rabies area" shall mean any area not less than a county as determined by the director within a region where the existence of rabies constitutes a public health hazard, as found and declared by the director. A region shall be composed of two or more counties as determined by the director. The status of an area as a rabies area shall terminate at the end of one year from the date of the declaration unless, not earlier than two months prior to the end of the year, it is again declared to be a rabies area in the manner provided in this section. If however, the director at any time finds and declares that an area has ceased to be a rabies area its status shall terminate upon the date of the declaration.

(Added by Stats. 1957, Ch. 1781.)

121595. Whenever any case of rabies is reported as existing in any county or city, the department shall make, or cause to be made, a preliminary investigation as to whether the disease exists, and as to the probable area of the state in which the population or animals are endangered.

121600. If upon the investigation the department finds that rabies exists, a quarantine shall be declared against all animals as are designated in the quarantine order, and living within the area specified in the order.

121605. Following the order of quarantine the department shall make or cause to be made a thorough investigation as to the extent of the disease, the probable number of persons and animals exposed, and the area found to be involved.

121610. The department may substitute for the quarantine order regulations as may be deemed adequate for the control of the disease in each area.

121615. All peace officers and boards of health shall carry out the provisions of this chapter.

121620. During the period for which any quarantine order is in force any officer may kill or in his or her discretion capture and hold for further action by the department any animal in a quarantine area, found on public highways, lands, and streets, or not held in restraint on private premises as specified in this chapter.

121625. Any proper official within the meaning of this chapter may examine and enter upon all private premises for the enforcement of this chapter.

121630. Except as provided in Sections 121705 and 121710, every person who possesses or holds any animal in violation of the provisions of this chapter is guilty of an infraction, punishable by a fine not exceeding one thousand dollars (\$1,000).

(Amended by Stats. 1971, Ch. 1379 and Stats. 1984, Ch. 697.)

121635. For the purpose of providing funds to pay expenses incurred in connection with the eradication of rabies, the rabies treatment and eradication fund is continued in existence in each county or city in this state.

121640. All money collected for dog license taxes shall be deposited to the credit of this fund with the treasurer of the county or city; but funds now collected from any dog tax may continue to be collected and used for other purposes specified by local ordinances.

121645. Upon the determination by the department that rabies exists in any county or city, a special dog license tax shall immediately become effective, unless a dog tax is already in force the funds from which are available for the payment of expenditures in accordance with this chapter.

121650. This tax shall be levied as follows: An annual tax of one dollar and fifty cents (\$1.50) for each male, two dollars and fifty cents (\$2.50) for each female, and one dollar and fifty cents (\$1.50) for each neuter dog. It shall be collected by the proper authority at the same time and in the same manner as other taxes are collected; except that at the first collection the proportion of the annual tax as corresponds to the number of months the tax has been in operation plus one year advance payment shall be collected.

121655. After this dog license tax has been established in a county or city, it shall be continued in force until an order has been issued by the department declaring that county, or the portion of that county as may be deemed advisable, to be free from rabies or further danger of its spread.

121660. One half of all fines collected by any court or judge for violations of this chapter shall be placed to the credit of the rabies treatment and eradication fund of the county or city where the violation occurred.

121665. Whenever it becomes necessary in the judgment of the department, to enforce this chapter in any county or city, the department may institute special measures of control to supplement the efforts of the local authorities in any county or city whose duties are specified in this chapter.

121670. All expenditures incurred in enforcing the special measures shall be proper charges against the special fund referred to in this chapter, and shall be paid as they accrue by the proper authorities of each county or city where they have been incurred; but all expenditures that may be incurred after the issuance of the order establishing the tax and before the first collection of the tax, shall be paid as they accrue from the general fund of the county or city.

121675. All expenditures in excess of the balance of money in this fund shall likewise be paid as they accrue from the general fund. All money thus expended from the general fund shall be repaid from the special fund when the collections from the tax have provided the money.

121680. Notwithstanding any other provision of this chapter a guide dog serving a blind master shall not be quarantined, in the absence of evidence that he or she has been exposed to rabies, unless his or her master fails:

- (a) To keep him or her safely confined to the premises of the master.

(b) To keep him or her available for examination at all reasonable times.
(Added by Stats. 1951, Ch. 1363.)

121685. Notwithstanding any other provision of this chapter, a dog used by any state, county, city, or city and county law enforcement agency shall not be quarantined after biting any person if the bite occurred while the dog was being used for any law enforcement purpose. The law enforcement agency shall make the dog available for examination at any reasonable time. The law enforcement agency shall notify the local health officer if the dog exhibits any abnormal behavior.

(Added by Stats. 1976, Ch. 913.)

121690. In rabies areas, all of the following shall apply:

(a) Every dog owner, after his or her dog attains the age of four months, shall no less than once every two years secure a license for the dog as provided by ordinance of the responsible city, city and county, or county. License fees shall be fixed by the responsible city, city and county, or county, at an amount not to exceed limitations otherwise prescribed by state law or city, city and county, or county charter.

(b) Every dog owner, after his or her dog attains the age of four months, shall, at intervals of time not more often than once a year, as may be prescribed by the department, procure its vaccination by a licensed veterinarian with a canine antirabies vaccine approved by, and in a manner prescribed by, the department.

(c) All dogs under four months of age shall be confined to the premises of, or kept under physical restraint by, the owner, keeper, or harbinger. Nothing in this chapter and Section 120435 shall be construed to prevent the sale or transportation of a puppy four months old or younger.

(d) Any dog in violation of this chapter and any additional provisions that may be prescribed by any local governing body shall be impounded, as provided by local ordinance.

(e) It shall be the duty of the governing body of each city, city and county, or county to maintain or provide for the maintenance of a pound system and a rabies control program for the purpose of carrying out and enforcing this section.

(f) It shall be the responsibility of each city, county, or city and county to provide dog vaccination clinics, or to arrange for dog vaccination at clinics operated by veterinary groups or associations, held at strategic locations throughout each city, city and county, or county. The vaccination and licensing procedures may be combined as a single operation in the clinics. No charge in excess of the actual cost shall be made for any one vaccination at a clinic. No owner of a dog shall be required to have his or her dog vaccinated at a public clinic if the owner elects to have the dog vaccinated by a licensed veterinarian of the owner's choice.

All public clinics shall be required to operate under antiseptic immunization conditions comparable to those used in the vaccination of human beings.

(g) In addition to the authority provided in subdivision (a), the ordinance of the responsible city, city and county, or county may provide for the issuance of a license for a period not to exceed three years for dogs that have attained the age of 12 months or older and have been vaccinated against rabies. The person to whom the license is issued pursuant to this subdivision may choose a license period as established by the governing body of up to one, two, or three years. However, when issuing a license pursuant to this subdivision, the license period shall not extend beyond the remaining period of validity for the current rabies vaccination. A dog owner who complies with this subdivision shall be deemed to have complied with the requirements of subdivision (a).

(Amended by Stats. 1970, Ch. 70 and Stats. 1986, ch. 664.)

(h) All information obtained from a dog owner by compliance with this chapter is confidential to the dog owner and proprietary to the veterinarian. This information shall not be used, distributed, or released for any purpose, except to ensure compliance with existing federal, state, county, or city laws or regulations.

121695. Nothing in this chapter and Section 120435 is intended or shall be construed to limit the power of any city, city and county, or county in its authority in the exercise of its police power or in the exercise of its power under any other provisions of law to enact more stringent requirements, to regulate and control dogs within the boundaries of its jurisdiction.

(Added by Stats. 1957, Ch. 1781.)

121700. Rabies vaccines for animal use shall not be supplied to other than a veterinary biologic supply firm, a person licensed to practice veterinary medicine under Chapter 11 (commencing with Section 4800) of Division 2 of the Business and Professions Code, or a public agency.

(Added by Stats. 1965, Ch. 599.)

121705. Any person who willfully conceals information about the location or ownership of an animal subject to rabies, that has bitten or otherwise exposed a person to rabies, with the intent to prevent the quarantine or isolation of that animal by the local health officer is guilty of a misdemeanor.

Any person who violates this section is guilty of a misdemeanor.

(Added by Stats. 1984, Ch. 697.)

121710. Any person who, after notice, violates any order of a local health officer concerning the isolation or quarantine of an animal of a species subject to rabies, that has bitten or otherwise exposed a person to rabies or who, after that order, fails to produce the animal upon demand of the local health officer, is guilty of a misdemeanor, punishable by imprisonment in the county jail for a period not to exceed one year, or by fine of not less than one hundred dollars (\$100), nor more than one thousand dollars (\$1,000) per day of violation, or by both fine and imprisonment.

(Added by Stats. 1984, Ch. 697.)

Title 17, California Code of Regulations

2606. Rabies, Animal.

(a) Reporting. Any person having knowledge of the whereabouts of an animal known to have or suspected of having rabies shall report the facts immediately to the local health officer. The health officer shall likewise be notified of any person or animal bitten by a rabid or suspected rabid animal.

In those areas declared by the Director of the State Department of Health Services to be rabies areas (See Section 121585, California Health and Safety Code) the local health officer shall be notified when any person is bitten by an animal of a species subject to rabies, whether or not the animal is suspected of having rabies.

(b) Isolation. Any rabid animal, clinically suspected rabid animal, or biting animal shall be isolated in strict confinement as follows:

(1) Isolation of Rabid Animals or Clinically Suspected Rabid Animals. Any rabid animal or clinically suspected rabid animal shall be isolated in strict confinement under proper care and under the observation of a licensed veterinarian, in a pound, veterinary hospital, or other adequate facility in a manner approved by the local health officer, except where such responsibility has been delegated to a comparable officer by the governing body, and shall not be killed or released for at least 10 days after the onset of symptoms suggestive of rabies, with the exception that such animals may be sacrificed with permission of the local health officer for the purpose of laboratory examination for rabies using the fluorescent rabies antibody (FRA) test in an approved public health laboratory.

(2) Isolation of Biting Animals. At the discretion of the local health officer any animal which bites or otherwise exposes a person shall be isolated in strict confinement in a place and manner approved by the local health officer and observed for at least 14 days (dogs and cats 10 days) after the day of infliction of the bite, with the exception that the following alternative to the 10 day isolation of dogs and cats is permitted -- dogs or cats which have been isolated in strict confinement under proper care and under observation of a licensed veterinarian, in a pound, veterinary hospital, or other adequate facility in a manner approved by the local health officer, may be released from isolation by the local health officer after five days of veterinary observation if upon conducting a thorough physical examination on the fifth day or more after infliction of the bite, the observing veterinarian certifies that there are no clinical signs or symptoms of any disease. Notwithstanding the foregoing provisions, a local health officer may authorize, with permission of the owner and other legal restrictions permitting, the euthanasia of a biting animal for the purpose of laboratory examination for rabies using the fluorescent rabies antibody (FRA) test in an approved public health laboratory.

(3) Isolation of Biting Animals in Officially Declared Rabies Areas. In officially declared rabies areas (see Section 121585, California Health and Safety Code) the isolation described in paragraph (2) above shall be mandatory for any animal of a species subject to rabies that has bitten or otherwise exposed a person, with the exception of rodents (members of the order Rodentia) and rabbits and hares (members of the order Lagomorpha).

(4) Laboratory Examination of Rabid Animals, Clinically Suspected Rabid Animals or Biting Animals Which Die or Have Been Killed. If any rabid animal, clinically suspected rabid animal or biting animal dies or has been killed, adequate specimens shall be obtained and examined in a public health laboratory approved by the department. No person shall destroy or allow to be destroyed the brain of an animal of a species subject to rabies that has bitten or

otherwise exposed a person before the destruction of such brain has been authorized by the local health department; provided, however, that the provisions of this paragraph (4) shall not apply to rodents (members of the order Rodentia) and rabbits or hares (members of the order Lagomorpha).

(c) Animal Contacts. Any animal of a species subject to rabies which has been bitten by a known rabid or suspected rabid animal or has been in intimate contact with a rabid or suspected rabid animal shall be quarantined in a place and manner approved by the local health officer, except where such responsibility has been delegated to a comparable officer by the local governing body, for a period of six months or destroyed, with the exception that the following alternatives are permitted in the case of dogs and cats as follows:

(1) If a dog over one year of age has been vaccinated against rabies within 36 months but not less than 30 days with a rabies vaccine of a type approved by the Department for a maximum immunity duration of at least 36 months, the dog may be revaccinated immediately (within 48 hours) in a manner prescribed by the Department and quarantined in a place and manner approved by the local health officer for a period of 30 days following revaccination.

(2) If a dog under one year of age has been vaccinated against rabies within 12 months but not less than 30 days with a rabies vaccine of a type approved by the Department, the dog may be revaccinated immediately (within 48 hours) in a manner prescribed by the Department and quarantined in a place and a manner approved by the local health officer for a period of 30 days.

(3) If a cat has been vaccinated within one year but not less than 30 days with an annual type feline rabies vaccine or if a cat has been vaccinated under one year of age with a 36-month type of feline rabies vaccine within 12 months but not less than 30 days, the cat may be revaccinated immediately (within 48 hours) in a manner prescribed by the Department and quarantined in a place and manner approved by the local health officer for a period of 30 days following revaccination.

(4) If a cat over one year of age has been vaccinated against rabies and has been vaccinated within 36 months and more than 30 days with a 36-month type feline rabies vaccine, the cat may be revaccinated immediately (within 48 hours) in a manner prescribed by the Department and quarantined in a place and manner approved by a local health officer for a 30-day period following revaccination.

NOTE

Authority cited: Sections 100275, 121610 and 120130, Health and Safety Code. Reference: Sections 121580, 121600, 121610, 121620 and 120130, Health and Safety Code.

HISTORY

1. Amendment filed 5-5-71; effective thirtieth day thereafter (Register 71, No.19). For prior history see Register 65, No. 8.
2. Amendment of subsection (c) filed 5-20-77; effective thirtieth day thereafter (Register 77, No. 21).
3. Amendment filed 1-27-86; effective thirtieth day thereafter (Register 86, No. 5).

2606.2. Rabies Quarantine.

If rabies is known to exist within an area, the local health officer may establish a rabies quarantine and shall define the boundaries of the quarantine area and specify the animals subject to quarantine, and all such animals within the quarantined area shall be kept in strict confinement upon the private premises of the owner, keeper or harbinger at all times until the quarantine is terminated by the local health officer.

NOTE

Authority cited: Sections 100110, 100275, 121575-121710 and 120435 Health and Safety Code.

HISTORY

1. New section filed 12-19-57; effective thirtieth day thereafter (Register 57, No. 22).
2. Amendment filed 5-5-71; effective thirtieth day thereafter (Register 71, No.19).

2606.4. Officially Declared Rabies Areas.

(a) Administration and Enforcement. For purposes of administration and enforcement of Section 121690, California Health and Safety Code, in officially declared rabies areas, the following shall apply:

(1) Licensing and Vaccination Procedure. The vaccination of dogs four months of age or older as required by subdivision (b), Section 121690, California Health and Safety Code, shall be held a requisite to licensing as required under subdivision (a) therein. Completion of the licensing procedure consists of issuance of a license tag or a vaccination tag bearing the license data and shall be carried out only after presentation of a current valid official vaccination certificate. Current copies of the Compendium of Canine Rabies Vaccines approved by the Department, together with the maximum immunity duration periods prescribed by the Department for each type product, are available upon request from the Veterinary Public Health Unit, Infectious Disease Section, California Department of Health Services, 2151 Berkeley Way, Berkeley, California, 94704, telephone (415) 540-2391.

(2) Vaccination Certificates. Official vaccination certificates must show:

- (A) the name, address and telephone number of the dog's owner;
- (B) the description of the dog, including breed, color, age, and sex;
- (C) the date of immunization;
- (D) the type of rabies vaccine administered;
- (E) the name of the manufacturer; and
- (F) the lot number of the vaccine used.

Such certificates shall bear the signature of the veterinarian administering the vaccine or a signature authorized by him, and in addition such certificate shall be stamped, printed, or typed with his name, address and telephone number for legibility, with the exception that at dog vaccination clinics conducted pursuant to Section 121690(f) of the Health and Safety Code, vaccination certificates approved by the local health officer may be used provided that the specific clinic is identified upon the vaccination certificate and records are maintained containing the information specified under items (E) and (F) above.

(3) Interval Permitted for Procurement of License. The vaccination of dogs four months of age against rabies as required under subdivision (b), Section 121690, California Health and Safety Code, and the license required by subdivision (a) of said section shall be procured not later than 30 days after the dog attains the age of four months. The license renewal shall be procured not later than 60 days after expiration of the previously issued license.

(4) Rabies Control Activities Reporting. During such time as a county is under official declaration as a rabies area, each local official responsible for the various phases of local dog or rabies control within each city, county and city or cities, or county shall make quarterly rabies control activities reports to and on forms furnished by the Department. Such reports shall be submitted to the Department by the local officials responsible for the various phases of local dog or rabies control through the local health officer so as to reach the Department not later than 30 days following each quarter.

(b) Vaccination of Dogs Against Rabies. Dogs shall be considered to be properly vaccinated for the purposes of Section 121690, California Health and Safety Code, when injected at four months of age or older with an approved canine rabies vaccine and revaccinated in accordance with the following conditions:

(1) Primary Immunization. Primary immunization shall be defined as the initial inoculation of an approved canine rabies vaccine administered to young dogs between the ages of 4 to 12 months.

(2) Minimum Age for Rabies Vaccination. The minimum age for which rabies immunization of dogs shall be accepted for purposes of dog-owner compliance with requirements for rabies vaccination and for purposes of issuance of dog licenses (See Section 2606.4(a)(1)) is 4 months.

(3) Revaccination Intervals. Dogs shall be revaccinated one year (12 months) after the primary immunization with an approved type of rabies vaccine. Dogs receiving vaccination after primary immunization or any dog receiving its initial rabies vaccination over 12 months of age shall be revaccinated thereafter at least once every three years (36 months) with an approved type rabies vaccine.

(c) Issuance of Dog Licenses. In no instances shall a dog license be issued for a period beyond the date upon which revaccination is due except, following primary immunization in a local jurisdiction which is on a fixed one-year licensing period, a license may be issued for a period beyond the revaccination date if early revaccination cannot be required in accordance with subdivision (d).

(d) Notwithstanding the rabies revaccination intervals specified in Section 2606.4(b)(3) above, local authorities may require revaccination prior to issuance of a license provided that revaccination against rabies in no instance shall be required sooner than one year (12 months) following a primary immunization or sooner than 2 years (24 months) following a vaccination of dogs vaccinated over one year (12 months) of age.

NOTE

Authority cited: Sections 100275 and 121610, Health and Safety Code. Reference: Sections 121610 and 121690, Health and Safety Code.

HISTORY

1. New section filed 12-19-57; effective thirtieth day thereafter (Register 57, No. 22).
2. Amendment filed 5-5-71; effective thirtieth day thereafter (Register 71, No. 19).
3. Amendment filed 5-20-77; effective thirtieth day thereafter (Register 77, No. 21).
4. Amendment filed 1-27-86; effective thirtieth day thereafter (Register 86, No. 5).

2606.6. Importation of Dogs.

All dogs four months of age or older imported into this State for any purpose shall be accompanied by a certificate issued by a licensed veterinarian, stating that the dog or dogs have been vaccinated against rabies within 30 months of the date of importation of the dogs vaccinated over 12 months of age or within 12 months for dogs vaccinated under 12 months of age with a canine rabies vaccine of a type approved by the Department for an immunity duration of at least 36 months.

NOTE

Authority cited: Sections 100275 and 121610, Health and Safety Code. Reference: Sections 121610 and 121690(b), Health and Safety Code.

HISTORY

1. New section filed 12-19-57; effective thirtieth day thereafter (Register 57, No. 22).
2. Amendment filed 5-5-71; effective thirtieth day thereafter (Register 71, No. 19).
3. Amendment filed 5-20-77; effective thirtieth day thereafter (Register 77, No. 21).
4. Amendment filed 1-27-86; effective thirtieth day thereafter (Register 86, No. 5).

2606.8. Skunk Rabies.

(a) Due to the presence of rabies in skunks in California and in many other states, and the resultant hazard to the public health of rabies developing in skunks kept as pets, no person shall:

- (1)** trap or capture skunks for pets,
- (2)** trap, capture or hold skunks in captivity for sale, barter, exchange or gift,
- (3)** transport skunks from or into the state except as provided under (b) below.

(b) The importation of skunks into California or the exportation of skunks from the State is prohibited except by permit from the California Department of Health Services to a recognized zoological garden or a research institution.

NOTE

Authority cited: Sections 100275, and 121610, Health and Safety Code. References: Section 121610, Health and Safety Code.

HISTORY

1. New section filed 10-1-62; effective thirtieth day thereafter (Register 62, No. 21).
2. Amendment filed 1-27-86; effective thirtieth day thereafter (Register 86, No. 5).