

CORRECTIONS IMPACT STATEMENT

SESSION: 19RS BILL # SB 224 Introduced BR # 1280 DOC ID #: xxxx

BILL SPONSOR(S): Sen. R. Webb AMENDMENT SPONSOR(S): . .

SUBJECT: AN ACT relating to dog vendors and making an appropriation therefor.

SUMMARY OF LEGISLATION: Create a new sections of KRS Chapter 258 to define terms including "animal control agency", "animal shelter", and "dog vendor"; require persons acting as a dog vendor to register with the Department of Agriculture and submit for inspection; specify necessary care and conditions for dogs kept by a dog vendor, and to require a dog vendor to maintain records on each dog; require the Department of Agriculture to maintain an online list of registered dog vendors; grant the Commissioner of Agriculture the ability to inspect or re-inspect the facilities of a dog vendor; allow the Commissioner of Agriculture to deny, suspend, or revoke a dog vendor's registration; require the Commissioner of Agriculture to promulgate regulations to administer this Act; prohibit a person from transporting a dog for sale without the proper health documentation; specify that no dog may be sold before reaching eight weeks of age; specify that any person who commits a prohibited act under this section is guilty of a Class B misdemeanor; amend KRS 258.117 to require the Animal Control Advisory Board to hear appeals from decisions made by the Commissioner of Agriculture; effective, January 1, 2020; APPROPRIATION.

AMENDMENT: .

This bill amendment committee substitute is expected to:

Have the following Corrections impact Have no Corrections impact

- | | |
|--|--|
| <input checked="" type="checkbox"/> Creates new crime(s) | <input type="checkbox"/> Repeals existing crime(s) |
| <input type="checkbox"/> Increases penalty for existing crime(s) | <input type="checkbox"/> Decreases penalty for existing crime(s) |
| <input type="checkbox"/> Increases incarceration | <input type="checkbox"/> Decreases incarceration |
| <input type="checkbox"/> Reduces inmate/offender services | <input type="checkbox"/> Increases inmate/offender services |
| <input type="checkbox"/> Increases staff time or positions | <input type="checkbox"/> Reduces staff time or positions |
| <input type="checkbox"/> Changes elements of offense for existing crime(s) | |
| <input type="checkbox"/> Otherwise impacts incarceration (Explain) . | |
-

STATE IMPACT: Class A, B & C felonies are based on an average daily prison rate of \$71.10. Most Class D felons are housed in one of 76 full service jails for up to 5 years. DOC's cost to incarcerate a felony inmate in a jail is \$32.78 per day (includes jail per diem, medical & central office costs), not including substance abuse treatment. Projections are based on the daily rate x 365 x number of years.

Projected Impact: NONE MINIMAL to MODERATE (< \$1 million) SIGNIFICANT (> \$1 million)

LOCAL IMPACT: Local governments are responsible for the cost of incarcerating individuals charged with Class A or B misdemeanors and felony defendants until disposition of the case. While the expense varies by jail, this estimated impact will be based on \$31.34 per day, which equals the per diem and medical that DOC pays jails to house felony offenders.

Projected Impact: NONE MINIMAL to MODERATE (< \$1 million) SIGNIFICANT (> \$1 million)

SB 224 establishes regulations for dog vendors. A dog vendor is a breeder, animal shelter, pet store, applicable group or other entity that sells, fosters, or transports for sale more than fifty (50) dogs in a calendar year. Veterinary practices, accredited educational institutions, military and law enforcement agencies, animal control agencies, and licensed research facilities are not included.

A registration system is established for dog vendors. Care requirements for vendors are delineated, with fees, fines, inspections, and records requirements outlined. Registration is subject to revocation for non-compliance. The effective date of the legislation is January 1, 2020.

Violation of the requirements established by the legislation will be subject to a Class B misdemeanor. Misdemeanors are subject to the jurisdiction and cost of the county.

AOC records report 168 convictions in FY 2018 under KRS 258.990 or KRS 258.991. Misdemeanor convictions and citations mostly surround vicious dogs, confinement and control of dogs, licensing, and rabies vaccinations.

The number of convictions incurred under this legislation are likely to be minimal, with a minor impact on incarceration.

A Class B misdemeanor is up to 90 days in jail.
1 Class B misdemeanor: up to \$2,820.60

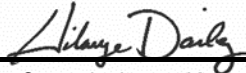
10 Class B misdemeanants: up to \$28,206.00
100 Class B misdemeanants: up to \$282,060.00

Projected Corrections Impact from Amendments:

The following offices contributed to this Corrections Impact Statement:

Dept. of Corrections Dept. of Kentucky State Police Administrative Office of the Courts Parole Board Other

NOTE: Consideration should be given to the cumulative impact of all bills that increase the felon population or that impose new obligations on state or local governments. The Department of Corrections and local jails continue to operate over capacity. Without steps to reduce the population, any legislation that increases population or lengthens the term of incarceration will have a significant impact on correctional operations.

APPROVED BY:  2/28/2019
Deputy Commissioner, Kentucky Department of Corrections Date