Local Government Mandate Statement Kentucky Legislative Research Commission 2019 Regular Session

Part I: Measure Information

Bill Request #: 1280						
Bill #: SB 224						
Document ID #: <u>3904</u>						
Bill Subject/Title: AN ACT relating to dog vendors and making an appropriation therefor.						
Sponsor: Robin Webb						
Unit of Government:CityxCountyxUrban-CountyxCharter CountyxConsolidated LocalxGovernment						
Office(s) Impacted: Local law enforcement, jails						
Requirement: <u>x</u> Mandatory Optional						
Effect on Powers & Duties: <u>x</u> Modifies Existing <u>x</u> Adds New Eliminates Existing						

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

SB 224 creates new sections of KRS Chapter 258 to define terms including "animal control agency", "animal shelter", and "dog vendor" and requires dog vendors to register with the Department of Agriculture and submit to inspections. The Act specifies necessary care and conditions for dogs kept by a dog vendor and requires dog vendors to maintain records on each dog. It grants the Commissioner of Agriculture the ability to inspect or re-inspect dog vendor facilities and allows the Commissioner of Agriculture to deny, suspend, or revoke a dog vendor's registration. SB 224 prohibits a person from transporting a dog for sale without proper health documentation and specifies that no dog may be sold before reaching eight weeks of age. **Persons who violate the provisions of this HB 224 are guilty of a Class B misdemeanor**.

Entities having a contractual relationship with local government and falling under the definition of "dog vendor" may be required to upgrade facilities to meet standards provided for in SB 224 and thus, could conceivably seek to pass costs on to local government. **The fiscal impact of SB 224 is indeterminate and minimal**. Although the

Act provides that fees and fines be deposited into the state Animal Control and Care Fund, these additional funds will likely not have a significant impact on county animal shelters.

The Act provides that the Commissioner of Agriculture may report to law enforcement agencies any dog vendor alleged by the Commissioner to have committed an offense prohibited by KRS 525.125, 525.130 or 525.135. In this regard **SB 224 creates a new crime (Class B Misdemeanor) for violations** of the provisions of the Act. Thus, there can be some additional Class B misdemeanor arrests and incarcerations. The jail costs associated with misdemeanor incarcerations are described below.

A person convicted of a Class B misdemeanor may be incarcerated for up to 90 days. A person convicted of a Class A misdemeanor may be incarcerated for up to twelve months. Misdemeanants are housed in one of Kentucky's 76 full service jails or four life safety jails. While the expense of housing inmates varies by jail, this estimated impact will be based on \$31.34 per day, which equals the per diem and medical expenses that the Department of Corrections pays jails to house felony offenders. While the majority of misdemeanor defendants are granted bail, those who do not will also cost local jails an average of \$31.34 per day.

Part III: Differences to Local Government Mandate Statement from Prior Versions

The Part II section above pertains to the bill as introduced and there are not any prior introduced versions of the bill to complete the Part III section.

Data Source(s):	Kentucky Association of Counties; LRC staff; University of Kentucky				
	College of Agriculture 2016 study of current conditions of Kentucky				
	county animal shelters and degree of compliance with Kentucky animal				
	shelter laws; Kentucky Sheriffs Association; Kentucky Association of				
	Chiefs of Police; Kentucky Department of Corrections				

Preparer:	H. Marks	Reviewer:	KHC	Date:	2/25/19
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