## Local Government Mandate Statement Kentucky Legislative Research Commission 2022 Regular Session

**Part I: Measure Information** 

Bill Request #: 1205						
Bill #: SB 125 GA						
<b>Document ID #:</b> 7379						
Bill Subject/Title: AN ACT relating to the costs incurred by animal care organizations.						
Sponsor: Senator Julie Raque Adams						
Unit of Government: X City X County X Urban-County Unified Local						
X Charter County X Consolidated Local X Government						
Office(s) Impacted: Local governments that operate an animal shelter						
Requirement: X Mandatory Optional						
Effect on Powers & Duties: Modifies ExistingX Adds New Eliminates Existing						

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

**SB** 125 **GA** creates new sections of KRS Chapter 525 related to animal cruelty. It defines terms and provides law enforcement agencies the authority to seize animals whose owner is found in violation of any animal cruelty law. **SB** 125 **GA** also establishes requirements for peace officers and animal control officers when utilizing this authority. Procedures are also created that allow seizing agencies to petition a court to order payment of animal care costs by owner.

Upon conviction for a violation of any felony offense related to animal cruelty, in addition to any other penalty, the court shall order the animal(s) to be forfeited to the seizing agency or its designee. The court shall also order the defendant to reimburse the seizing agency for the reasonable costs incurred in the caring for the animal(s) from the date of the seizure until the disposition of the criminal proceeding. Likewise, in the case of a conviction for a misdemeanor offense related to animal cruelty, the court may require forfeiture of the animal(s) and/or require the defendant to reimburse the seizing agency for all reasonable costs incurred in caring for the animal(s).

According to the Humane Society of the United States, there is no uniform daily rate for animal care among county animal control offices. Daily care rates range from \$10 per day to \$25 per day for dogs and cats. Medical care provided on site varies from actual costs to a set fee. If an external veterinarian is needed, the costs are reflective of the veterinary fees charged. All costs are higher for exotic breeds of animals, and larger animals.

The fiscal impact of this bill is indeterminable but expected to be minimal. Reasonable costs incurred for the care of seized animals should be recovered through reimbursement from the convicted persons as ordered by the court. In cases where reimbursements are not made, city/county attorneys would become involved in obtaining restitution providing legal costs in addition to a lag between the expenditures for the animal care and the revenue for reimbursements.

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

Part II, above, pertains to the GA version of the bill. The introduced bill was amended by SFA 1. The fiscal impact remains the same as the mandate for the bill as introduced.

SFA 1 amends the bill to make corrections to the definitions of related terms held within **Section 1**.

Preparer:	KLS (mjo	Reviewer:	KHC	Date:	3/8/22	
Data Sourc	e(s): <u>Hu</u>	mane Society of the United	l States, LRC Sta	<u>aff</u>		