Local Government Mandate Statement Kentucky Legislative Research Commission 2022 Regular Session

Part I: Measure Information

| Bill Request #: 1416 |
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| Bill #: SB 230 |
| Document ID #: <u>3752</u> |
| Bill Subject/Title: AN ACT relating to animal care. |
| Sponsor: Senator Julie Raque Adams |
| Unit of Government: X City X County Main Main Main Main Main Main Main Main Main Main |
| X Charter County X Consolidated Local X Government |
| Office(s) Impacted: Local governments that operate an animal shelter |
| Requirement: <u>X</u> Mandatory Optional |
| Effect on Powers & Duties: Modifies Existing _X Adds New Eliminates Existing |

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

SB 230 creates new section of KRS Chapter 525 that defines terms related to animal cruelty, provides law enforcement the authority to seize animals whose owner violations any animal cruelty laws, and establishes requirements for peace officers and animal control officers who use this authority.

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, is based on SB 230 as introduced. There are no previous versions of this legislation for comparison.

| Data Source(s): <u>Humane Society of the United States, LRC Staff</u> |
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 Preparer:
 CTH (WB)
 Reviewer:
 KHC
 Date:
 3/7/23