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FISCAL IMPACT REPORT



SPONSOR: Thompson DATE TYPED: 02/04/02 HB 444

SHORT TITLE: Companion Animal Hoarding SB _____

ANALYST: Wilson

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
		\$0.1	Indeterminate		

SOURCES OF INFORMATION

Administrative Office of the Courts (AOC)
Corrections Department (CD)

SUMMARY

Synopsis of Bill

HB 444 creates the crime of companion animal hoarding under the Criminal Code. Whoever commits companion animal hoarding is guilty of a misdemeanor.

Companion animal hoarding consists of a person:

- possessing over fifteen companion animals
- failing to provide necessary nutrition to the companion animals
- failing to shelter the companion animals in a sanitary environment
- failing to provide necessary veterinary care to the companion animals
- displaying a disregard for the conditions under which the companion animals are living.

Upon a conviction for companion animal hoarding under HB 444, the court shall order an assessment of any necessary psychological counseling or treatment for the convicted offender. The offender shall bear the costs of any counseling ordered by the court.

Upon a conviction for companion animal hoarding, the court may order that the offender is precluded from owning, harboring or having custody or control of any animals or from conspiring with others to maintain or create a collection of animals on the offender's behalf for a period of time that the court deems reasonable.

HB 444 creates a new section of the Criminal Code to allow peace officers and animal control officers to apply to the court for a warrant to seize the companion animal(s) when they believe that the life or health of companion animals are endangered due to companion animal hoarding. If the court finds probable cause that companion animal hoarding is occurring, the court shall issue a warrant for the seizure of the animals. HB 444 further sets out the legal process that must be followed in animal hoarding cases.

Significant Issues

HB 444 addresses the issue of the continuing suffering of animals kept in improper environments by persons who may not be subject to prosecution for cruelty to animals.

FISCAL IMPLICATIONS

There will be a minimal administrative cost for statewide update, distribution, and documentation of statutory changes.

Any additional fiscal impact on the judiciary would be proportional to the enforcement of this law and commenced prosecutions. New laws, amendments to existing laws, and new hearings have the potential to increase caseloads in the courts, thus requiring additional resources to handle the increase.

The increased workload would include not only initial case processing and judicial time, but also tracking cases to completion of treatment and psychological counseling, including probation and compliance with other conditions of release.

There will likely be an additional fiscal impact to the courts due to peace officers and animal control officers applying to the court for a warrant to seize the companion animal(s) in question. If the court finds that there is probable cause, the court must schedule a hearing within thirty days. In addition, the court may order publication of a notice in the newspaper.

ADMINISTRATIVE IMPLICATIONS

There is an administrative impact on the court resulting from added judicial time needed to dispose of these types of cases in the manner provided under the law.

DW/prr:ar