

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

ORIGINAL DATE
SPONSOR Eichenberg **LAST UPDATED** 01/27/11 **HB** _____

SHORT TITLE Cruelty to Animals Provisions **SB** 103

ANALYST Wilson

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY11	FY12		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY10	FY11	FY12	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total			\$0.1-\$0.5	\$0.1-\$0.5	Rec	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Corrections Department (CD)

Department of Public Safety (DPS)

SUMMARY

Synopsis of Bill

Senate Bill 103 states that abandoning or failing to provide necessary sustenance to an animal that is under that person's custody or control is a crime only when it is done knowingly.

The bill removes ambiguity that exists in current statute, making it clear that intentionally starving or dehydrating an animal to a point that imperils the animal's life constitutes extreme 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.

This bill could increase the difficulty of prosecuting a case or it could mean that fewer cases will be tried if prosecutors cannot prove that the crime was done knowingly.

Clarifying that intentionally starving an animal could minimally affect the courts and prison systems.

SIGNIFICANT ISSUES

The Humane Society of the United States provided the following:

Animal cruelty can be either deliberate abuse or simply the failure to take care of an animal. Either way and whether the animal is a pet, a farm animal, or wildlife, the victim can suffer terribly.

DW/bym