

Commission on Local Government

Estimate of Local Fiscal Impact

2020 General Assembly Session

Bill: SB310

Patron: Stanley, Jr.

Date: 1/30/2020

In accordance with the provisions of §30-19.03 of the Code of Virginia, the staff of the Commission on Local Government offers the following analysis of the above-referenced legislation:

Bill Summary:

Public animal shelters; notice to euthanize. Requires a public animal shelter to wait three days before euthanizing a dog or cat when a person has notified the shelter of his intent to adopt or take custody of the animal. The shelter must make reasonable efforts to accomplish the release of the animal but is not required hold the animal if it has reason to believe that the animal has seriously injured a human or the animal meets certain other specified conditions for euthanasia.

Executive Summary:

Localities have evaluated a negative fiscal impact ranging from \$0.00 - \$400,000.00. Some localities responded with a cost and noted that the cost would be related to additional stays per animal at the request of the citizen, additional staff with operational costs, and to build additional spaces to accommodate their expected increase in animals. Some localities responded with no cost, noted that the estimation of exact cost is difficult but noted that animal shelters may be required to house, feed, water, and provide veterinary care for animals for longer hold times. Other localities noted that the bill would not impact them because they are towns and do not operate animal shelters.

Local Analysis:

Locality: Augusta County

Estimated Fiscal Impact: \$900.00

There is a potential that someone will keep notifying the shelter of the intent to adopt, without real plans to do so. As long as they keep notifying within the 3 days, the shelter will keep "renewing the 3 days" and they could end up in the shelter longer or indefinitely. This will have an impact on space and cost to tax payers. The cost to house an animal at our regional shelter is around \$15 per day. As we do not know the exact number of times this may happen, a total is estimated at 20 times x \$15 per day x 3 days = \$900.

Locality: City of Norfolk

Estimated Fiscal Impact: \$400,000.00

The city's animal shelter averages around \$30 per animal per day which ends up being almost \$100 to put an animal on hold for the legislation's required three days. Approximately 4,000 animals this past fiscal year were adopted, fostered, or returned to owner. Making the assumption that no person or third party organization abuses the legislation, this would create an the potential additional cost of \$400,000 if each animal was placed on hold for three days. Even if only 80 percent of the those animals were adopted or taken into custody on the same day, it would still increase costs by approximately \$320,000 and that is not factoring in the space issues it would create.

Locality: City of Roanoke

Estimated Fiscal Impact: \$75,622.00

This bill could have a large financial impact on our regional shelter here in Roanoke. The average animal stay in 2019 was 27 days at a cost of \$18.00 per day. This bill would extend the daily stay 3 days per animal when a citizen calls to request adoption. If passed, our current system would be unmanageable in our present facility. We had 772 adoptions and transferred 1,562 animals to rescue agencies in 2019. The fiscal impact would be \$18 per day x 3 additional days x 2,334 (the # of adoptions + # of transfers). The total would be \$126,036; the City of Roanoke's share would be 60% of that total or \$75,622. Our facility is not large enough to continue to house under our current operations so we would either see euthanasia raise (meaning our live release rate would be impacted in a negative way) and/or the need to enlarge the facility.

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**Locality:** City of Virginia Beach

**Estimated Fiscal Impact:** \$0.00

The Virginia Beach Animal Care and Adoption Center (ACAC) is an open-admission shelter with a goal to maximize Live Release. Accordingly, unless the specified criteria is met regarding an animal's health or well-being, animals at the ACAC will be kept until they are adopted, especially if there is an active intent to adopt process on-going.

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Locality: City of Winchester

Estimated Fiscal Impact: \$0.00

City of Winchester has no issues with this.

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**Locality:** Fairfax County

**Estimated Fiscal Impact:** \$0.00

A precise fiscal impact cannot be determined at this time, though the bill may have an expenditure impact on Fairfax County as our animal shelter may be required to house, feed, water, and provide veterinary care for animals for longer hold times.

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Locality: Frederick County

Estimated Fiscal Impact: \$100,000.00

This bill allows any individual or group, from any locality, to contact the shelter and request an animal be held for three days. This bill has tremendous potential for abuse. Any animals euthanized at the shelter are typically very aggressive or ill. Extending the hold time could lead to overcrowding, disease outbreak, and the shelter not accepting animals. It may also lead to feral and aggressive animals, that are already stressed, having to stay longer.

Shelter staff seek alternatives to euthanasia and want nothing more than a positive outcome for all the animals brought to the shelter but must also consider public safety and liability. Keeping aggressive or ill animals puts staff and the other animals at risk for injury or illness. Refusing them puts the public at risk. More and more rescues are refusing to accept dogs with a history of aggression due to insurance and liability issues. The shelter is often the last resort for citizens surrendering aggressive or ill animals. If they are refused at the shelter they will likely abandon, kill or lie about the animal's bite history. This would impact the community in other ways and cause unnecessary suffering for the animals.

This estimate is speculative. Impacts could be more, or less, severe depending on level of abuse. It is likely we would need an additional office person to handle phone calls and manage paperwork. Additionally, we will need another caretaker if we continue to accept aggressive animals and then are required to hold them extensively.

Estimated Cost:

Additional Secretary – Salary and fringes: \$50,403
Additional Caretaker – Salary and fringes: \$45,614
Each time an animal is held an additional 3 days: \$50. If 100 animals are required to be held for an additional three days, operational costs may be estimated at \$5,000. This estimate has no limit if special interest groups are determined to manipulate the shelter.

Total Estimated Fiscal Impact: \$100,000 or greater

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**Locality:** Prince Edward County

**Estimated Fiscal Impact:** \$14,311.65

This bill has both a fiscal impact and a problematic operational impact. First, the cost per day to hold one animal is \$2.00 for food and \$11.07 in labor for cleaning, handling documentation and speaking to the public. I assumed we would have three such animals each and every day of the year  $(2+11.07)*3*365 = \$14,311.65$ . The operational impact would be a concerted effort on the part of citizens, some not citizens of the impacted locality, to "save an animal". We would receive a call to hold an animal and the caller never come to claim the animal but shortly before the three day hold period expires we get another call to hold the animal and it goes on and on. We have seen this tactic without the required hold period and it has caused problems. This bill does not limit callers to citizens of the locality or even to Virginia residents. I would recommend it be amended to limit callers asking for a hold to be residents of the locality and also a limit of three such consecutive hold periods. Other wise localities could find all their holding kennels be used to house these "hold" animals which would leave no space left to handle the needs of our citizens. If that happens the annual cost would increase to \$100,181.55 annually not counting the \$500,000 to build an additional shelter,

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Locality: Rappahannock County

Estimated Fiscal Impact: \$1,740.00

It is very hard to place an overall cost impact to localities for this amendment, but the cost could be VERY high if the amendment is abused by certain no-kill proponents organize. Because a simple call or email is all that is needed to express an interest to adopt an animal and trigger the provisions of what is proposed to be 3.2-6546.K, and that action would trigger a 3-day stay on euthanasia, such a group could systematically send emails or make calls repeatedly essentially changing the hold period from 5 or 10 days (dependent on identifiers on the dog) to a permanent hold.

This said, the reported average daily cost from the FIS for an overnight stay in a shelter by the FIS is \$17.40/day. It is not unreasonable to think that many extra days could be added to the stay of animals by those specifically trying to use a new code amendment to preserve the life of an animal.

As for the fiscal value reported, it is for Rappahannock County only for one year ... and assumes 100 additional overnight stays per year due to people fraudulently emailing or calling that they plan to adopt. if that loop hole were closed I would estimate a negligible increase in cost.

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**Locality:** Town of Blacksburg

**Estimated Fiscal Impact:** \$0.00

The down does not have responsibility for animal shelters.

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Locality: Town of Christiansburg

Estimated Fiscal Impact: \$0.00

The Town of Christiansburg does not operate an animal shelter and therefor would have no fiscal impact. Montgomery County provides animal shelter services for the Town.

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**Locality:** Town of Herndon

**Estimated Fiscal Impact:** \$0.00

No comments.

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Professional and Other Organization

Analysis:

Organization: Northern Neck PDC

No fiscal impact.
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**Organization:** Virginia’s Region 2000 Local Government Council

Robert Hiss, Bedford County Administrator, noted that “Cost isn’t really our concern with this. It is our practice to adopt or transfer any animal that qualifies or has someone show any interest.

"Our goal is to only euthanize when absolutely necessary. The only times we euthanize an animal is when they are sick (contagion risk to the other animals or untreatable), injured to the point they are unable to be treated, or for lack of space (which we have only done once in the last 3 years for dogs) at the shelter. In all 3 of these instances, it would not be feasible to hold the animal for an additional 3 days. Therefore, some exceptions for these circumstances would be more important to us."

Ryan N. Ball, Chief Animal Warden, Lynchburg Police Department, commented “I think the three day wait hold will be very detrimental, especially to our LHS which is a “no kill” shelter.

"- The bill requires no action by the person giving notice to the shelter they want to adopt, but would bar the LHS from adopting the animal to any other qualified person during those three days. The person giving notice can simply change their mind on day one, two, or three.

"- The three day holding period would begin each time a new person contacts LHS for that animal, thus preventing the adoption from a qualified person who might walk in and be qualified to adopt immediately.

"- This bill will undoubtedly increase housing costs for the animals at LHS, requiring many animals to stay longer than they need to. All because of the proposed “holds” just in case someone may want to adopt.

"Ultimately, I think it’s a bad idea which will increase the costs of housing the animals, especially in a “no kill” shelter where you can have 400-600 animals in the building. Imagine the legal quagmire that would create for LHS (Lynchburg Humane Society) staff to try to keep up with all the holds to stay in compliance."

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