

## Department of Planning and Budget 2018 Fiscal Impact Statement

**1. Bill Number:** SB571

**House of Origin**    ☒ Introduced    ☐ Substitute    ☐ Engrossed  
**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron:** DeSteph

**3. Committee:** Agriculture, Conservation and Natural Resources

**4. Title:** Releasing agencies; notice of dangerous animal; civil penalty.

**5. Summary:** This bill requires a representative of a releasing agency, animal control officer, law-enforcement officer, or humane investigator, upon taking custody of any companion animal from a person in the course of his official duties, to obtain a signed statement from such person indicating whether, if known, the companion animal has bitten a person or other animal and the circumstances and date of such bite. The bill requires any representative of a releasing agency, animal control officer, law-enforcement officer, or humane investigator, upon release of a companion animal for (i) adoption, (ii) return to a rightful owner, or (iii) transfer to another agency, to disclose, if known, that a companion animal has bitten a person or other animal and the circumstances and date of such bite. Willful failure to disclose such information is punishable by a civil penalty not to exceed \$1,000. The bill makes technical amendments with regard to use of the definition of "releasing agency."

**6. Budget Amendment Necessary:** Yes, to Item 87 of HB30/SB30.

**7. Fiscal Impact Estimates:** Preliminary. See item 8.

**7a. Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2018	n/a	n/a	n/a
2019	\$86,949	1	GF
2020	\$86,949	1	GF
2021	\$86,949	1	GF
2022	\$86,949	1	GF
2023	\$86,949	1	GF
2024	\$86,949	1	GF

**7b. Revenue Impact:** Indeterminate.

**8. Fiscal Implications:** It is anticipated that this bill will have an expenditure impact on the Department of Agriculture and Consumer Services (VDACS) as the agency is responsible for enforcing the provisions of the bill and providing guidance to releasing agencies on how to document compliance. Virginia has about 375 registered releasing agencies, and VDACS' staff annually inspects 159 of the private and public animal shelter releasing agencies. The bill requires additional records review during those inspections. Additionally, VDACS

anticipates there may be an overall increase in complaints received by the agency in relation to noncompliance with the provisions of the bill. Complaints will require investigations that may lead to assessments of civil penalties, which require additional time and effort to process. Therefore, VDACS requires one additional staff member at an annual cost of \$86,949 for salary, benefits, equipment, and travel to investigate and enforce the provisions of the bill. The department does not have existing personnel who can absorb this workload.

Although the bill provides that civil penalties assessed through this legislation shall be deposited to a special fund for use by VDACS to carry out the provisions of the bill, revenue from a potential increase in civil penalties cannot be determined at this time. Therefore, VDACS will require a general fund appropriation and one position annually to administer the legislation.

**9. Specific Agency or Political Subdivisions Affected:** Department of Agriculture and Consumer Services; localities.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.