

Department of Planning and Budget 2022 Fiscal Impact Statement

1. **Bill Number:** SB604

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. **Patron:** Stanley

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

4. **Title:** Animal cruelty; companion animals; penalty.

5. **Summary:** Clarifies that dogs and cats in the possession of a person who or an entity that breeds dogs or cats for sale or transfer to an animal research facility are considered companion animals for the purposes of animal cruelty statutes. The bill also provides that breeding dogs or cats for sale or transfer to a research facility, or breeding dogs or cats within a research facility, does not constitute bona fide scientific or medical experimentation for purposes of animal cruelty statutes.

6. **Budget Amendment Necessary:** Yes. Item (get the number from Kelly for DOC).

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

7a.Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2023	\$50,000	GF

8. **Fiscal Implications:** This bill amends the Code to expand the definition of a companion animal, potentially increasing the number of felony violations for certain acts of animal cruelty. Therefore, this proposal could result in an increase in the number of persons sentenced to jail or prison.

There is not enough information available to reliably estimate the increase in jail population as a result of this proposal. However, any increase in jail population will increase costs to the state. The Commonwealth currently pays the localities \$4.00 a day for each misdemeanor or otherwise local-responsible prisoner held in a jail. It also funds a portion of the jails' operating costs, e.g. correctional officers. The state's share of these costs varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2021), the estimated total state support for local jails averaged \$37.58 per inmate, per day in FY 2020.

Due to the lack of data, the Virginia Criminal Sentencing Commission has concluded, pursuant to § 30-19.1:4 of the Code of Virginia, that the impact of the proposed legislation on state-responsible (prison) bed space cannot be determined. In such cases, Chapter 552 of the Acts of Assembly of 2021, Special Session I, requires that a minimum impact of \$50,000 be

assigned to the bill. Also, the Virginia Criminal Sentencing Commission has concluded, pursuant to § 30-19.1:4 of the Code of Virginia, that the impact of the proposed legislation on the Department of Juvenile Justice cannot be determined.

The Virginia Department of Agriculture and Consumer Services anticipates no impact from passage of this bill.

9. Specific Agency or Political Subdivisions Affected: Virginia Department of Agriculture and Consumer Services, Department of Corrections, local and region jails, courts, Commonwealth Attorneys, and Public Defenders

10. Technical Amendment Necessary: No.

11. Other Comments: None