

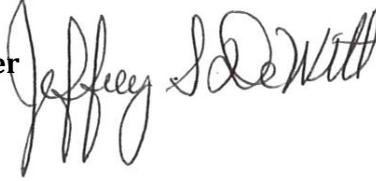
Government of the District of Columbia
Office of the Chief Financial Officer



Jeffrey S. DeWitt
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jeffrey S. DeWitt
Chief Financial Officer 

DATE: June 26, 2017

SUBJECT: Fiscal Impact Statement – Standard Care for Animal Amendment Act of 2017

REFERENCE: B22-64, Committee print as shared with the Office of Revenue Analysis on June 21, 2017

Conclusion

Funds are sufficient in the fiscal year 2018 through fiscal year 2021 budget and financial plan to implement the bill.

Background

The bill updates¹ what the District considers to be the proper treatment of animals. Specifically, the bill:

- Requires animal owners to provide animals with adequate care, adequate food, and adequate shelter, as defined in the bill;
- Sets shelter standards for animals kept outdoors;
- Requires animal owners to leash, tether, or control animals by adequate physical means;
- Presumes that an animal was not properly under control if an animal destroys property, attacks a person or animal, or strays onto private property;
- Prohibits animal owners from leaving animals in parked vehicles when conditions jeopardize the animal's health, safety, or welfare;
- Authorizes animal control officers, firefighters, fire marshals, and police officers to use reasonable force to remove an animal from a vehicle when its health is endangered;
- Requires animal owners to pay for all expenses incurred by the District if an animal is rescued from a vehicle and requires care or medical treatment;

¹ By amending the Animal Control Act of 1979, effective October 18, 1979 (D.C. Law 3-30; D.C. Official Code § 8-1801 *et seq.*).

- Gives² the Animal Care and Control Agency authority to issue fines and citations and respond to all animal related calls and emergencies;³
- Prohibits⁴ the Animal Care and Control Agency from releasing impounded animals if they are not vaccinated for rabies;
- Requires animal hobby permit holders to provide their animals with appropriate veterinary care, adequate shelter, and adequate space; and,
- Expands⁵ an animal owner educational program to include pet care and safety, specifically in extreme weather conditions or emergencies, and pet ownership laws.

The bill establishes prohibited behaviors towards animals. Specifically, the bill:

- Prohibits the separation and sale of a puppy or kitten from its mother prior to six weeks of age;
- No longer prohibits the importation, possession, display or sale of ferrets;
- Prohibits performances by animals at circuses, carnivals, and other events unless a permit is issued by the Mayor;
- Prohibits an owner of an animal from neglecting to provide the animal with adequate care and treatment; and,
- Prohibits persons from taking actions against an animal that intentionally causes harm.

The bill establishes protections for abandoned animals. Specifically, the bill:

- Prohibits an owner from abandoning an animal;
- Requires the Mayor to deem an animal abandoned if it is impounded for seven days after its owner receives notice;
- Requires the Mayor to deem an animal abandoned if it is impounded for five days and is not wearing identification;

The bill increases⁶ penalties for violating animal control law. Currently, a person that violates the Animal Control Act of 1979 is required to pay a \$25 fine for a first violation, \$50 for a second violation, and \$100 for each subsequent violation. The bill creates authority to permit a fine not to exceed \$500 for abandoning animals, and a fine not to exceed \$1,000 for neglecting an animal, failing to provide an animal with adequate care or treatment, and for taking actions that intentionally or knowingly harm an animal.

Financial Plan Impact

Funds are sufficient in the fiscal year 2018 through fiscal year 2021 budget and financial plan to implement the bill.

The District's Animal Care and Control Agency is operated by the Humane Rescue Alliance via a contract with the Department of Health (DOH). This contract is set to expire on July 31, 2017 and DOH has issued a request for proposals for the next contract. The new contract will include a

² By amending D.C. Official Code § 8-1802.

³ The District's Animal Control Care Agency is currently operated by the Humane Rescue Alliance under a contract with the Department of Health.

⁴ By amending D.C. Official Code § 8-1805.

⁵ By amending D.C. Official Code § 8-1810(2).

⁶ By amending D.C. Official Code § 8-1811.

The Honorable Phil Mendelson

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requirement for additional animal control officers to enforce the new protections included in the bill. DOH's fiscal year 2018 budget includes funding to support the new animal control contract.

The bill broadens enforcement and increases fines for violating animal control laws. This will result in additional non-tax general fund revenue for the District. The Office of Revenue Analysis is unable to estimate the amount of revenue that will be generated since current citation data does not translate into the new fine categories contained in the bill.