

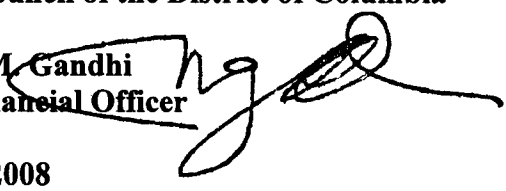
GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Chief Financial Officer



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Vincent C. Gray
Chair, Council of the District of Columbia

FROM: Natwar M. Gandhi 
Chief Financial Officer

DATE: July 11, 2008

SUBJECT: Fiscal Impact Statement: "Animal Protection Amendment Act of 2008"

REFERENCE: Bill Number 17-89, Committee Print dated June 10, 2008

Conclusion

Funds are sufficient in the FY 2008 budget and proposed FY 2009 through FY 2012 budget and financial plan to implement the provisions of the proposed legislation.

Background

The proposed legislation contains seven titles intended to update the District's animal welfare and control laws. Below is a title-by-title summary of the proposed bill.

Title I. Omnibus Animal Welfare Amendments

- Allows students and recent graduates of veterinarian medicine programs to practice in the District under the supervision of a licensed District veterinarian; allows veterinarians licensed in Virginia and Maryland to practice limited hours in the District without a District license; and allows veterinarians to issue animal licenses and collect required fees;
- Requires humane officers to report known or reasonably suspected child abuse;
- Requires humane officers to report abuse of adults when there is a substantial cause to believe it exists;
- Changes "Animal Welfare and Control Agency" to "Animal Care and Control Agency" and sets forth the obligations of the Animal Care and Control Agency;

- Allows veterinarians to issue animal licenses; establishes a licensure program for cats;
- Requires that found animals be scanned for a microchip and requires that impounded animals not be released for research purposes;
- Increases the annual license fee for dogs and cats;
- Establishes the Sterilization Fund to be used to subsidize sterilization of cats and dogs owned by persons in the District, and authorizes the Mayor to issue grants to appropriate animal welfare organizations who are experienced in subsidized sterilization efforts;
- Defines "dangerous dog" and "potentially dangerous dog," establishes the determination of a dangerous or potentially dangerous dog, requirements for registering a dangerous or potentially dangerous dog, and sets forth the sanctions of an owner of a dangerous or potentially dangerous dog for violations of the subsections;
- Adds animal cruelty as grounds for a protective order and directs for the care of an animal as part of a protective order;
- Allows the court to order an individual found guilty of cruelty to animals to undergo counseling, psychiatric or psychological evaluation, to allow the court to impose the costs of such treatment on the person convicted and to force said person to repay the reasonable costs incurred prior to judgment by any agency caring for the animal or animals subjected to cruelty;
- Requires law enforcement officers or child or protective services employees to report to the Mayor suspected animal abuse or the presence of an animal in the home of a person suspected of child, adult, or animal abuse; and
- Increases the penalty for spectators of animal fighting events to a felony.

Title II. Licensing Requirements

- Establishes commercial animal breeder licensing requirements and commercial pet care facility licensing requirements, and requires the Mayor to establish rules to implement these licensing requirements.

Title III. Release of Animals

- Prohibits the removal of impounded animals for research, experimentation, testing, or medical instruction and sets forth related penalties.

Title IV. Commercial Guard Dogs

- Sets forth licensing and immunization requirements for commercial guard dogs;
- Requires annual veterinary exams for commercial guard dogs; prohibits training or use of guard dogs that have had a ventricular cordectomy;
- Requires liability insurance when utilizing a commercial guard dog;
- Requires that the Mayor be given notice as to the presence of a commercial guard dog at a premises;
- Requires posting of signs warning the public as to the presence of a commercial guard dog;
- Sets forth basic care requirements for the treatment of commercial guard dogs;

- Sets penalties for violation of this title; and
- Provides the Mayor with rulemaking authority.

Title V. Classroom Animals

- Establishes policies for use of classroom animals; and
- Establishes care requirements for classroom animals

Title VI. Emergency Preparedness

- Requires the Mayor, within 90 days of the effective date of the proposed bill, to establish an emergency preparedness plan for the protection, sheltering, and evacuation of domestic animals during and following a major disaster or emergency.

Title VII. Rulemaking

- Provides the Mayor with rulemaking authority to implement the provisions of the proposed bill.

Financial Plan Impact

Funds are sufficient in the FY 2008 budget and proposed FY 2009 through FY 2012 budget and financial plan to implement the provisions of the proposed legislation.

Implementation of the proposed license fee increase for dogs and establishing a licensure program and associated fees for cats is estimated to generate approximately \$17,500 in additional revenues in FY 2009 and \$96,000 over the FY 2009 through FY 2012 budget and financial plan period. These revenues would be split between two Department of Health (DOH) segregated accounts as displayed in the table below. These accounts are non-lapsing and non-reverting and are to be used exclusively by DOH for the designated purposes of the accounts.

It is anticipated that the commercial animal breeder and commercial guard dog licensing requirements would be budget neutral, as fees charged for such services would be used to offset the costs required to provide those services. DOH would not require additional resources to implement the other provisions of the proposed legislation.

Revenue Impact on the Budget and Financial Plan					
	FY 2009	FY 2010	FY 2011	FY 2012	4-Year Total
Animal Control Dog License Fees Fund	\$6,500	\$9,750	\$9,750	\$9,750	\$35,750
Sterilization Fund	\$11,000	\$16,500	\$16,500	\$16,500	\$60,500
Total	\$17,500	\$26,250	\$26,250	\$26,250	\$96,250

Table notes and assumptions:

- Assumes an implementation date on or near October 1, 2008.
- Assumptions on the estimated number of cats and dogs to be licensed in each of the next four fiscal years were provided to the Office of the Chief Financial Officer (OCFO) by the Bureau of Community Hygiene in DOH. DOH assumes that dog licensures will significantly increase in FY 2009 and FY 2010 due to a planned increase in licensure outreach efforts, and also due to licensure requirements related to new dog park openings in the District. DOH also assumes that the number of cat licenses issued will be significantly lower than the number issued for dogs.
- Assumes that a proposed amendment to statutorily authorize the existing Animal Control Dog License Fees Fund, a DOH segregated account, will be incorporated into the proposed legislation. The OCFO has already issued a separate fiscal impact statement on this amendment indicating that it would not have a fiscal impact because the segregated account already exists.
- Assumes that the proposed license fees for cats would be deposited into the Animal Control Dog License Fees Fund (and that a \$2 portion of each license fee would be deposited into the Sterilization Fund as provided in the proposed legislation).