


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



Glen Lee
Chief Financial Officer

MEMORANDUM

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

FROM: Glen Lee
Chief Financial Officer 

DATE: November 21, 2022

SUBJECT: Fiscal Impact Statement – Animal Care and Control Omnibus
Amendment Act of 2022

REFERENCE: Bill 24-560, Draft Committee Print as provided to the Office of Revenue
Analysis on November 7, 2022

Conclusion

Funds are sufficient in the fiscal year 2023 through fiscal year 2026 budget and financial plan to implement the bill.

Background

The bill contains seven provisions that enhance the District's ability to respond to animal-related emergencies and cases of animal cruelty. Each provision is summarized below.

Authorizing the use of Emergency Vehicles by the Animal Care and Control Agency

Current regulations¹ limit the registration of authorized emergency vehicles to those used by fire and police department. The bill allows for vehicles owned by the Animal Care and Control Agency to be registered as emergency vehicles. Vehicles with this distinction are authorized to use emergency lights and sirens when responding to emergencies. Animal control officers must be trained in the areas of liability, driving skills, decision-making, and emergency vehicle operation before they can operate an emergency Animal Care and Control vehicle.

Bonding for Care of Seized Animals

¹ 18 DCMR § 712.1.

The bill allows the Animal Care and Control Agency to recover the costs incurred when caring and boarding seized animals during the pendency of criminal or other proceedings. A hearing officer can order the owner of an animal to post bond sufficient to cover the reasonable costs of care, food, and treatment for thirty days. The hearing officer can extend this time frame by an additional thirty days after the conclusion of the first thirty days. If an owner fails to post bond, the animal becomes property of the Animal Care and Control Agency.

Banning Implements of Dog Fighting

The bill bans instruments² that are used to train and facilitate dogfighting. Individuals that are found to violate the ban are guilty of a misdemeanor upon conviction. A court may order convicted defendants to complete counseling and prohibit them from owning an animal for a specified amount of time.

Prohibiting Sexual Contact with Animals

The bill prohibits engaging in sexual contact with animals and prohibits the advertisement, offer of sale, or dissemination of photographs or video footage of sexual contact between a person and animal. Individuals that are found to violate this prohibition are guilty of a felony and are subject to prison, as well as other penalties.

Prohibiting the Declawing of Cats

The bill prohibits the declawing of a cat except in situations when it is necessary for a therapeutic purpose.

Banning the Sale of Non-Rescued Animals in Pet Stores

The bill prohibits³ pet store operators from selling live mammals, amphibians, arachnids, birds, and reptiles in pet stores unless the animal was obtained from a humane society, shelter, or rescue group. Each pet store must maintain records to document the source of each animal it sells. Each pet store must post on the enclosure for each animal a sign listing the name of the Animal Care and Control Agency, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group from which the animal was obtained. The Animal Care and Control Agency may request records from pet stores to confirm compliance with the law.

Consideration of the Best Interests of a Pet in Divorce Proceedings

Family pets are currently treated as property when a couple separates, divorces, terminates a domestic partnership, or has an annulment. The bill modifies the pure property disposition of a pet in a divorce so that the court may assign sole or joint ownership of a pet based upon the care and best interest of the animal.

Financial Plan Impact

² Including breaking sticks, slatmills, carpetmills, treadmills, springpoles, fighting pits, and breeding stands.

³ By amending Section 700, Title 22 of the District of Columbia Municipal Regulations.

The Honorable Phil Mendelson

FIS: Bill 24-560, "Animal Care and Control Omnibus Amendment Act of 2022," Draft Committee Print as provided to the Office of Revenue Analysis on November 7, 2022

Funds are sufficient in the fiscal year 2023 through fiscal year 2026 budget and financial plan to implement the bill. The District of Columbia's Animal Care and Control is operated by the Humane Rescue Alliance under a contract with the District of Columbia Department of Health. The provisions included in the bill can be implemented through the existing contract with the Humane Rescue Alliance.