



# HOUSE COMMITTEE ON APPROPRIATIONS

2009-10 Legislative Session

## FISCAL NOTE

**HOUSE BILL: 123**

**PRINTER'S NO: 119**

**PRIME SPONSOR: J. Evans**

**"As amended by A06927"**

<b>FISCAL IMPACT SUMMARY</b>	<b>FY 2009/10</b>	<b>FY 2010/11</b>
<b>Expenditure Increase/(Decrease):</b>		
General Fund	\$0	\$0

### OVERVIEW:

House Bill 123 as amended by A06927 further provides for the offense of cruelty to animals and penalties.

This legislation amends §5511(Cruelty to animals) of Title 18 (Crimes and Offenses) by adding a new subsection creating a new offense where the owner or co-owner of a dog commits a misdemeanor of the second degree if said dog kills, maims, or disfigures a guide dog of an individual who is blind, a hearing dog of an individual who is deaf or audibly impaired, or a service dog of an individual who is physically limited.

A person convicted of this new offense shall be sentenced to pay a fine of not more than \$5,000 and shall be ordered to make reparations for veterinary costs in treating the guide, hearing, or service dog. If necessary, the cost of obtaining and training a replacement guide, hearing, or service dog may be required.

This act shall take effect in 60 days.

### ANALYSIS:

A second degree misdemeanor usually translates to an individual being incarcerated for up to two years and/or paying a fine up to \$5,000. Under House Bill 123, a person convicted of violating this new subsection is to be fined up to \$5,000 and is responsible for reparations. The enactment of House Bill 123 is not expected to have an adverse fiscal impact on the Commonwealth or counties (where individuals are usually incarcerated for two years or less), because the penalty does not include incarceration.

**PREPARED BY:** Rayko Pacana, Budget Analyst  
House Appropriations Committee, (D)

**DATE:** May 24, 2010

**General Note and Disclaimer:** *This Fiscal Note was prepared pursuant to House Rule 19(a), and the elements considered and reported above are required by Section 5 of the rule. Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*