



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 2409

PRINTERS NO. 4164

PRIME SPONSOR: Ellis

COST / (SAVINGS)

FUND	FY 2012/13	FY 2013/14
General Fund	\$0	\$0

SUMMARY: House Bill 2409, Printer's Number 4164, creates the Costs of Care of Seized Animals Act. This legislation would take effect in 60 days.

ANALYSIS: This bill would establish the "Costs of Care of Seized Animals Act" to provide a mechanism for organizations providing care for animals seized under Title 18, Section 5511 (relating to cruelty to animals) to file a petition against a defendant or owner for the reasonable costs of care where criminal charges have been filed. Those who can file include a county or municipal official and a society of association or other incorporated nonprofit organization providing care of the animals. A petition must be filed with the same magisterial district court where criminal charges are filed, and then also served on the defendant. Reasonable costs of care are limited to \$15 per animal per day, plus necessary medical expenses as documented by veterinarian invoices.

The bill outlines a process for filing and serving such petitions and provides for court hearings to determine the responsibility for reasonable costs of care, the amount, and a payment schedule. Payments terminate when a final judgment on the related criminal charge is issued, when the owner relinquishes ownership of the animal(s), or when the seized animal(s) is no longer under the control of the petitioner.

It should also be noted that nothing in the bill shall apply to animals used for activities undertaken in normal agricultural operations.

FISCAL IMPACT: Enactment of this bill will have no fiscal impact on Commonwealth funds.

PREPARED BY: Jeffrey Clukey
House Appropriations Committee (R)

DATE: October 2, 2012

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.