



## HOUSE COMMITTEE ON APPROPRIATIONS

# FISCAL NOTE

HOUSE BILL NO. 82

PRINTERS NO. 60

PRIME SPONSOR: Ellis

### COST / (SAVINGS)

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

**SUMMARY:** House Bill 82, Printer's Number 60, creates the Costs of Care of Seized Animals Act. This legislation would take effect in 60 days.

**ANALYSIS:** The 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 or association or other incorporated nonprofit organization providing care for the animals. Reasonable costs of care are limited to \$15 per animal per day, plus necessary medical expenses as documented by veterinarian invoices.

House Bill 82 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. A costs order shall terminate when a final judgment on the related criminal charge is issued, when the owner surrenders all rights to the animals, or when the seized animal(s) is no longer under the control of the petitioner. It also states that any unused portion of reasonable costs of care remaining after full payment shall be remitted to the defendant or owner.

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:** January 18, 2013

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