

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: April 21, 2009
POSITION: Neutral, note concerns
SPONSOR: Humane Society of the United States

BILL NUMBER: AB 242
AUTHOR: P. Nava

BILL SUMMARY: Dog Fighting

This bill would increase the penalties for dog fighting.

FISCAL SUMMARY

No data is available to indicate the number of individuals who would be convicted of these crimes and serve time in state prison. We note that initially, the cost of additional inmates sentenced under this bill would be approximately \$23,000 General Fund (GF) per inmate, per year. To the extent that this bill increases the time served in state facilities, it would result in additional General Fund costs of approximately \$49,000 for each additional year that an inmate is incarcerated.

Any local government costs resulting from the mandate in this measure would not be state-reimbursable because the mandate only involves the definition of a crime or penalty for conviction of a crime.

COMMENTS

The Department of Finance has no concerns with the sentencing policy proposed by this bill. However, given the current fiscal condition of the state we are concerned that the bill may increase the state's prison population and generate additional costs.

Current law makes it a felony, punishable by imprisonment in state prison for 16 months, or two or three years, or a fine not to exceed \$50,000, or by both imprisonment and a fine, for any person to own, possess, keep, or train any dog with the intent that the dog shall be engaged in fighting with another dog. Current law also makes it a misdemeanor, for any person to be present, as a spectator, during the preparation for an exhibition of dog fighting or at an exhibition of dog fighting.

This bill would make it a felony, punishable by imprisonment in state prison for 16 months, or two or three years, and by a fine not to exceed \$50,000, for any person to own, possess, keep, or train any dog with the intent that the dog shall be engaged in fighting with another dog. This bill would also make it a crime, punishable by imprisonment in county jail not to exceed one year, or a fine not to exceed \$5,000, or by both imprisonment and a fine, for any person to be present, as a spectator, during the preparation for an exhibition of dog fighting or at an exhibition of dog fighting.

Code/Department Agency or Revenue Type	(Fiscal Impact by Fiscal Year)								
	SO	(Dollars in Thousands)							
	LA	PROP	2008-2009			2009-2010		2010-2011	Fund
CO	98	FC	FC	FC	FC	FC	FC	Code	
5225/Corr & Rehab	SO	No	See Fiscal Summary						0001
8885/Comm St Mndt	LA	No	No/Minor Fiscal Impact						0001

Analyst/Principal (0236) A. Jarvis	Date	Program Budget Manager Todd Jerue	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS Form DF-43 (Rev 03/95 Buff)

