

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: August 2, 2010
POSITION: Neutral, note concerns
SPONSOR: Placer County Board of Supervisors, CA State Sheriffs' Association, State Humane Association of CA

BILL NUMBER: SB 1417
AUTHOR: D. Cox

BILL SUMMARY: Corporations for Prevention of Cruelty to Animals

This bill would make various changes to the law regarding the incorporation of societies for the prevention of cruelty to animals and for the appointment of humane society officers. The bill would attempt to provide a more formal process for the appointment of humane officers.

FISCAL SUMMARY

For a previous version of this bill, the Department of Justice (DOJ) stated that this measure would result in additional Fingerprint Fees Account (FFA) costs, in the range of \$30,000 in fiscal year 2010-11, and \$39,000 in fiscal year 2011-12, and \$40,000 ongoing thereafter. DOJ assumes that about 40-50 humane officer applicant submissions would be received in fiscal years 2010-11 and 2011-12 and 20 submissions annually thereafter. DOJ indicates that FFA revenues would fully offset costs, as provided for in the bill. Additionally, DOJ notes that it initially would be difficult to set a fee schedule for this purpose that would remain somewhat consistent for applicants. DOJ notes that it will not set a fee at a level too low to recover costs, but that the fee revenues might exceed the costs in the first two years of implementing this program. However, in the long-term, revenues and expenditures should be equal. The fiscal table reflects DOJ's revenue estimates, which are slightly higher than costs in the first two fiscal years of implementation.

The Judicial Council noted, again for a prior version of the bill, that the bill requires a more formal process for handling a small number of humane societies and humane officer appointment cases, but the workload is expected to be minor and a cost-effective alternative that would improve the existing process.

COMMENTS

Finance is concerned about the additional workload this would impose on DOJ, possibly leading to the need for additional staff resources. However, the bill would provide that DOJ's costs would be offset by fees assessed on the humane societies, which should result in a minimal net fiscal impact.

This bill would alter various aspects of the process governing the incorporation of humane societies and the appointment of humane officers. Specifically, the bill's provisions include:

- Altering the process by which corporations for the prevention of cruelty to animals may be formed as nonprofits.
Specifying that a humane society officer may aid in the prosecution of an offender of animal-related laws.
Specifying that a humane society is authorized to perform specified actions regarding the enforcement of certain laws even in the absence of a contract with the local jurisdiction.

(Continued)

Analyst/Principal (0211)J. Osborn Date Assistant Program Budget Manager Zlatko Theodorovic Date

Department Deputy Director Date

Governor's Office: By: Date: Position Approved Position Disapproved

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

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**COMMENTS (Cont.)**

- Specifying the conditions under which a humane society is eligible to petition to confirm the appointment of a humane officer, including obtaining criminal record offender information from DOJ.
- Specifying additional requirements such as continuing education and training for humane officers.
- Specifying requirements for a humane society seeking reaffirmation of an officer's appointment.
- Authorizing local governments to enter into contracts with these societies.
- Requiring full compliance of humane societies by January 1, 2012 with the provisions of the bill governing humane officer appointments.

| Code/Department<br>Agency or Revenue<br>Type | SO                       | (Fiscal Impact by Fiscal Year) |                                    |      |           |      |           |      |      | Fund<br>Code |
|--|--------------------------|--------------------------------|------------------------------------|------|-----------|------|-----------|------|------|--------------|
|  | LA                       | (Dollars in Thousands)         |                                    |      |           |      |           |      |      |              |
|  | CO                       | PROP                           | 2010-2011                          |      | 2011-2012 |      | 2012-2013 |      |      |              |
|  | RV                       | 98                             | FC                                 | FC   | FC        | FC   | FC        | FC   |      |              |
| 1316/Fngprnt ID                              | RV                       | No                             | U                                  | \$79 | U         | \$99 | U         | \$40 | 0017 |              |
| 0820/Justice                                 | SO                       | No                             | C                                  | \$30 | C         | \$39 | C         | \$40 | 0017 |              |
| 0250/Jud Branch                              | LA                       | No                             | ----- No/Minor Fiscal Impact ----- |      |           |      |           |      | 0001 |              |
| <u>Fund Code</u>                             | <u>Title</u>             |                                |                                    |      |           |      |           |      |      |              |
| 0001   | General Fund             |                                |                                    |      |           |      |           |      |      |              |
| 0017   | Fingerprint Fees Account |                                |                                    |      |           |      |           |      |      |              |