



## Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

# Fiscal Note

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<b>Drafting Number:</b>	LLS 22-0917	<b>Date:</b>	March 28, 2022
<b>Prime Sponsors:</b>	Sen. Ginal Rep. Duran	<b>Bill Status:</b>	Senate Agriculture
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**Bill Topic:**                   **AFFIRM GREYHOUNDS AS COMPANION PETS**

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<b>Summary of Fiscal Impact:</b>	<input checked="" type="checkbox"/> State Revenue	<input checked="" type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill removes the exemption for greyhound breeders from the Pet Animal Care and Facilities Act. It minimally increases state revenue and expenditures beginning in FY 2022-23.

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**Appropriation Summary:**           No appropriation is required.

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**Fiscal Note Status:**               The fiscal note reflects the introduced bill.

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## Summary of Legislation

Under current law, breeders of racing greyhounds not intended to be companion pets are exempt from the requirements of the Pet Animal Care and Facilities Act (PACFA). The bill repeals this exemption.

## Background

Under the PACFA, the Commissioner of Agriculture regulates pet animal breeders, groomers, trainers, boarders, shelters, rescues, and sellers. The commissioner promulgates rules pertaining to minimum standards for physical facilities, including sanitation, ventilation, and medical treatment. The Department of Agriculture conducts inspections and takes disciplinary action, as necessary. Dog breeders pay a license fee of \$450 to \$550, depending on the number of animals transferred.

## Comparable Crime Analysis

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or creates a new factual basis for an existing crime. This section outlines data on crimes comparable to the offense in this bill and discusses assumptions on future rates of criminal conviction for those offense.

**Prior conviction data and assumptions.** This bill creates a new factual basis for the existing offense of operating an unlicensed pet facility, a class 2 misdemeanor, by removing the existing exemption for facilities that breed racing greyhounds not intended to be companion pets. From FY 2018-19 to FY 2020-21, 5 individuals have been convicted and sentenced for this offense. Of the persons convicted, 2 were male and 3 were female. Demographically, 4 were White and 1 was classified as "Other."

Because the number of new licensees is assumed to be small, the fiscal note assumes that there will continue to be minimal or no additional criminal case filings or convictions for this offense under the bill. Visit [leg.colorado.gov/fiscalnotes](http://leg.colorado.gov/fiscalnotes) for more information about criminal justice costs in fiscal notes.

## **State Revenue and Expenditures**

State revenue will increase from license fees for greyhound breeders, and workload will increase in the Department of Agriculture to process applications and conduct investigations for newly licensed facilities. The number of new licenses is expected to be low; therefore, any increase in state revenue and workload are expected to be minimal and no change in appropriations is required. License fees are subject to TABOR.

Based on the assumptions above, this analysis assumes that there will be a minimal impact on state revenue and expenditures in the judicial system. Under the bill, criminal fines and court fees, which are subject to TABOR, may increase by a minimal amount. Similarly, any increase in workload and costs for the Judicial Department, including the trial courts, Division of Probation, and agencies that provide representation to indigent persons are assumed to be minimal and no change in appropriations is required.

## **Local Government**

Similar to the state, it is expected that any workload or cost decreases for district attorneys to prosecute fewer offenses, or for county jails to imprison fewer individuals under the bill will be minimal. District attorney offices and county jails are funded by counties.

## **Effective Date**

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

## **State and Local Government Contacts**

Agriculture

Information Technology

Law