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LEGISLATIVE FISCAL ESTIMATE
[First Reprint]
SENATE, No. 1034
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: AUGUST 12, 2021

SUMMARY

Synopsis: Provides for spaying and neutering stray or feral cats and establishes fund therefor; designated as “Compassion for Community Cats Law.”

Type of Impact: Annual State expenditure and revenue increases; annual local government revenue increase.

Agencies Affected: Department of Health, municipalities, and counties.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Expenditure Increase		Indeterminate	
Local Revenue Increase		Indeterminate	

- The Office of Legislative Services (OLS) determines that the bill will result in an indeterminate annual State expenditure increase to establish and implement the grant program provided for under the bill and to enforce the bill’s provisions. The State may also realize an indeterminate amount of annual revenue from the collection of civil penalties for persons violating provisions of this bill as well as fees collected from community cat caregivers.
- There also may be an increase in annual State expenditures from the Animal Population Control Fund to have community cats spayed or neutered, sterilized, ear-tipped, and vaccinated against rabies by a State licensed veterinarian. The net cost increase to the State to reimburse veterinarians for providing these services to community cats is unknown and will depend on: 1) how many individuals are community cat caregivers; 2) the number of those caregivers that meet the eligibility criteria; 3) the number of caregivers who wish to sterilize, ear-tip, and vaccinate community cats against rabies; and 4) the reimbursement rate paid to the licensed veterinarians participating in the program.
- The OLS determines that there may be an annual local revenue increase if a grant is awarded to a municipal or county government for a program to humanely trap community cats, and

sterilize, ear-tip, and vaccinate them before returning them to the location where they were trapped.

BILL DESCRIPTION

The bill, designated as the Compassion for Community Cats Law, provides for the spaying and neutering of stray or feral cats, called community cats, and imposes new requirements for spaying and neutering of cats.

In particular, the bill provides, with limited exceptions, that:

(1) no cat may be released for adoption from an animal rescue organization facility, shelter, pound, or kennel operating as a shelter or pound unless the cat has been spayed or neutered by a licensed veterinarian; and

(2) any community cat trapped and impounded at such facility or trapped and taken to an animal rescue organization facility, must be spayed or neutered, ear-tipped, and vaccinated against rabies before being returned to the location where the community cat was trapped or given to a person assuming ownership of the community cat.

The bill authorizes an animal rescue organization facility, shelter, pound, or kennel operating as a shelter or pound to charge the cost of spaying or neutering the cat to the person assuming ownership of the cat. Under the bill, if a cat is released for adoption from an animal rescue organization facility, shelter, pound, or kennel operating as a shelter or pound that has not been spayed or neutered by a licensed veterinarian, the Department of Health may bring an action for a civil penalty of up to \$1,000. All penalties collected would be required to be deposited in the Compassion for Community Cats Fund established under the bill.

The bill also amends various sections of existing law to allow for the implementation of the new spaying and neutering requirements established by the bill.

The bill establishes the Compassion for Community Cats Fund in the Department of Health to provide grants to municipalities and counties that establish programs to humanely trap community cats, sterilize, ear-tip, and vaccinate them against rabies, and return each feral cat to the location where the cat was trapped. The fund is to be credited with the monies collected for violations of the bill, the surcharge on dog licenses imposed by State law, any moneys appropriated by the Legislature, and any return on investment of moneys deposited in the fund. The department would be authorized to adopt regulations to establish the grant program.

The bill also makes changes to the existing law to expand the coverage of the Animal Population Control Program to provide low-cost animal sterilization services to community cat caregivers that meet eligibility criteria.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS determines that the bill will result in an indeterminate annual State expenditure increase to establish and implement the grant program to fund municipal and county programs to humanely trap, sterilize, ear-tip, and vaccinate community cats. The Compassion for Community Cats Fund

established in the bill would be a special, nonlapsing fund administered by the DOH from which these grants would be disbursed. The department may not use any moneys in the fund for its administrative costs associated with this bill, but any such costs are likely to be minimal. There may also be recurring enforcement costs and revenue gains from the civil penalties associated with the bill. The collected penalties are required to be deposited in the Compassion for Community Cats Fund. The OLS also determines that there may be a local revenue increase should a municipality or county qualify for a grant after the grant program is established.

The OLS notes that the Animal Population Control Program has already been providing monies from the Animal Population Control Fund to licensed veterinarians participating in the program to provide low-cost animal sterilization services to owners of cats and dogs who meet the eligibility criteria. The bill expands the Animal Population Control Program to provide low-cost animal sterilization services to community cat caregivers who meet at least one of the criteria specified in State law. Under the bill, the eligibility criteria would be expanded to include participation in the Senior Gold Prescription Discount Program, the State rental assistance program, or the Low Income Home Energy Assistance Program. A community cat caregiver who meets at least one of the eligibility criteria would be required to pay a reduced \$10 fee to have the community cat sterilized, ear-tipped, and vaccinated against rabies. The fee would represent revenue to the State and is to be deposited into the Animal Population Control Fund.

Current law provides for reimbursement to the veterinarian by the State of up to 80 percent of reasonable fees for each animal sterilization procedure, to the extent funds are available in the Animal Population Control Fund. Current law also limits the reimbursement to a veterinarian for immunizations to \$10 per animal immunized. The bill extends this limit to the reimbursement for the immunization of a community cat while also requiring the immunization against rabies for each community cat spayed or neutered through the program. Thus, the OLS notes that under the bill, the cost for the immunization of a community cat against rabies may be partially offset by the \$10 fee paid by community cat caregiver.

Due to a lack of information about the annual scope of the program, the net cost increase to the State to reimburse veterinarians for providing these services to community cats is unknown and will depend on: 1) how many individuals are community cat caregivers; 2) the number of those caregivers that meet the eligibility criteria; 3) the number of caregivers who wish to sterilize, ear-tip, and vaccinate community cats against rabies; and 4) the reimbursement rate paid to the licensed veterinarians participating in the program.

The bill also amends existing law to require a certified animal control officer to take into custody and impound any animal reported to, or observed by, a certified animal control officer to be ill or injured. The OLS notes that animal control officers are already required to take into custody and impound any animal under certain circumstances, and therefore there should be no additional cost to perform these duties.

Section: Environment, Agriculture, Energy, and Natural Resources

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This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).s