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FISCAL IMPACT REPORT

SPONSOR SCONC **ORIGINAL DATE** 02/11/15
LAST UPDATED 03/06/15 **HB** _____
SHORT TITLE Animal Rescue Sterilization Deposit Waiver **SB** 211/SCONCS/aSPAC
ANALYST Cerny

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		NFI	NFI			

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Regulation & Licensing Department (RLD)

SUMMARY

Synopsis of SPAC Amendment

Senate Public Affairs Committee amendment to Senate Conservation Committee Substitute for Senate Bill 211 adds new language to the bill.

It creates a new section 1D defining a “last chance animal” as “a cat or dog that has been evaluated by the shelter as adoptable but has not been adopted, or has been selected for transfer, and has run out of time and is scheduled for euthanasia.”

On page 2 line 25, it adds the following language to section 2B, regarding the \$ 25.00 or less sterilization deposit to be charged to animal rescue organizations: “for a last chance animal if the animal rescue organization provides proof of its nonprofit status pursuant to Section 505(c)(3) of the Internal Revenue Code of 1986, as amended or renumbered. The animal shelter shall keep this proof on record.”

Synopsis of SCONC Substitute

Senate Conservation Committee substitution for Senate Bill 211 amends the Pet Sterilization Act, Sections 77-1-B-1 through 12 NMSA 1978 as follows:

It creates a new definition, for “animal rescue organization,” previously undefined in this act. The new definition states that such an organization is a non-profit exempt from federal taxation (under 501(c)3 of the Internal Revenue Code), whose primary purpose is the rescue of abandoned, unwanted, or abused pet in order to find them suitable homes.

It also amends section 77-1-20B such that any sterilization deposit imposed in addition to any adoption fee by an animal shelter will not exceed \$25 for animal rescue organizations.

FISCAL IMPLICATIONS

SB 211 includes no appropriation and has no fiscal impact on state agencies.

SIGNIFICANT ISSUES

SB 211 with its definition of animal rescue organization” provides more clarity to the Pet Sterilization Act.

SB 211 would alleviate some of the costs that non-profit animal rescue organizations must bear when adopting animals from animal shelters (defined as those run publicly or privately by a municipality or county). Presumably such cost savings would allow them to place more animals using limited budgets.

Animal rescue organizations would still be required to sign sterilization agreements as they are not exempted from Section 77-1-20A. These agreements require the owner to sterilize the animal within a specified period of time depending on the animal’s age at which time the sterilization deposit is refunded.

OTHER SUBSTANTIVE ISSUES

The Animal Sheltering Act in Section 77-1B-2M defines "rescue organization" (but not “animal rescue organization.” It is defined as “an organization that rescues animals and is not involved in the breeding of animals.” This could cause confusion.

CAC/bb/je