

HCS HB 1934 & 1654 -- ANIMAL SHELTER FEES

SPONSOR: Koenig (Torpey)

COMMITTEE ACTION: Voted "do pass" by the Committee on Ways and Means by a vote of 11 to 0.

This substitute exempts, effective January 1, 2014, an animal shelter from the payment of any licensing and other fees under the provisions of the Animal Care Facilities Act. The Director of the Department of Agriculture, at his or her discretion, may exempt an animal shelter from the payment of the fees prior to that date.

The department director may deny any applicant of an animal shelter license or revoke the license of an animal shelter licensee if he or she determines that the applicant or licensee unreasonably profits from the charges for adoption or sales of the shelter's animals.

FISCAL NOTE: No impact on General Revenue Fund in FY 2013, FY 2014, and FY 2015. Estimated Net Cost on Other State Funds of \$0 in FY 2013, \$84,000 in FY 2014, and \$84,000 in FY 2015.

PROPOSERS: Supporters say that the bills will help true not-for-profit animal shelters and provide punishment to non-qualifying shelters. Animal shelters that are for-profit shelters should not get this exemption. Not-for-profit shelters are providing a community service and should not be taxed. Municipal shelters are exempt while the private not-for-profit shelters are not. St. Louis City has shut down its shelters and relies on private not-for-profit shelters 90% of the time to provide shelter and care for thousands of animals and take unwanted animals off the street because of public safety concerns. Currently, there is an initial \$100 fee plus \$1 for each animal adopted out of the shelter up to a maximum of \$2,500. The revenue collected from the fees is used to pay for inspections by the Department of Agriculture. These fees are a hardship on animal shelters that do not pass all fees and costs on to the animal adopters.

Testifying for the bills were Representatives Torpey and Kirkton; Missouri Alliance for Animal Legislation; Jeane Jae, Humane Society of Missouri; Humane Society of the United States; and American Society for the Prevention of Cruelty to Animals.

OPPOSERS: Those who oppose the bills say that if animal shelter and rescue fees are eliminated, breeder fees should be reduced to the 2009 level with a \$500 maximum cap to ensure fairness and no discrimination. Since both breeders and shelters are required to

follow the same regulations and have the same inspections, everyone should help pay for the inspections and the inspections need to be consistent. The Animal Care Facilities Act is to check facilities to make sure that they take proper care of the animals. The \$100 fee and \$2,500 cap are there to cover state costs. The animal shelters, rescues, and humane societies need to be checked to make sure that they are taking proper care of animals. The \$1 fee per dog that is sold or leaves its facility should not be a problem because shelters sell dogs.

Testifying against the bills were Missouri Federation of Animal Owners; Maria Stille; John Self; Sharon Lavy; Cathy Griesbauer; Rose Marlow; Myra Burrow; and Stephen Burrow.

OTHERS: Others testifying on the bills say that the department can handle the change and the revenue loss of \$84,000 with the two-year phase-in.

Testifying on the bills was Department of Agriculture.