

AMENDED IN ASSEMBLY MARCH 12, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1836**

---

---

**Introduced by Assembly Member Cardoza**

January 24, 2002

---

---

An act to add Division 14.7 (commencing with Section 31900) to the Food and Agricultural Code, relating to animals.

LEGISLATIVE COUNSEL'S DIGEST

AB 1836, as amended, Cardoza. Animals.

Under existing law, local agencies may agree to jointly exercise their powers, as specified. Under existing law, cruelty to animals, and many related forms of conduct are unlawful. Under existing law, dogs are required to be licensed, and counties may provide for the licensing of cats, with license fees going to specified animal-related purposes.

This bill would state findings and declarations of the Legislature relating to high-volume animal cruelty arrests, and their impacts on the animal care and shelter systems, and on pet owners. It would state the Legislature's intent to encourage local agencies to form a joint powers agency or otherwise agree to alleviate the problems associated with high-volume animal cruelty arrests, including imposing a \$1 surcharge on dog and cat licenses in member jurisdictions to support these efforts, as specified. It would provide that money collected from dog license fee surcharges for this purpose would not be subject to the restrictions on spending dog license fee money provided in existing law.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Division 14.7 (commencing with Section  
2 31900) is added to the Food and Agricultural Code, to read:

3  
4  
5  
6

DIVISION 14.7. HIGH VOLUME ANIMAL CRUELTY  
PROSECUTION

7 31900. (a) The Legislature finds and declares that animals  
8 are ~~unnecessarily~~ *sometimes* mistreated in homes and businesses  
9 throughout the state, and that prosecution of animal abuse cases  
10 is necessary to discourage and punish animal cruelty. The  
11 Legislature recognizes that successful prosecution of cases that  
12 involve a large number of mistreated animals is complicated by the  
13 extreme burden to local agencies caused by the need to maintain  
14 the animals as evidence, and provide those animals proper care.  
15 The Legislature further finds that these cases may involve  
16 hundreds of animals, usually malnourished dogs and cats from  
17 unsanitary and illegal breeding mills. These animals may require  
18 immediate and expensive veterinary care and shelter from an  
19 agency that may already have committed all of its relevant  
20 resources to other needy animals.

21 (b) The Legislature recognizes that cooperation among public  
22 animal service agencies has facilitated the filing and prosecution  
23 of these cases, and that mutual assistance agreements have enabled  
24 many animals recovered from large operations to receive needed  
25 shelter and care. It is the intent of the Legislature to support these  
26 efforts by authorizing a mechanism for the distribution of funds to  
27 appropriate agencies to assist in the care of animals recovered in  
28 high-volume animal cruelty arrests.

29 (c) The Legislature finds and declares that pet owners receive  
30 a particular benefit from having available an unstressed animal  
31 shelter and public animal health system, and from the prosecution  
32 and regulation of those who ~~would~~ mistreat animals. The  
33 Legislature finds that funding a program to handle the stress on  
34 that system caused by high volume animal cruelty arrests from  
35 animal license fees is therefore appropriate.

36 31902. It is the intent of the Legislature to encourage the  
37 development of a memorandum of understanding or a joint powers



1 agreement between the local agencies that provide animal  
2 services, which would do all of the following:

3 (a) Provide for all member jurisdictions to collect an additional  
4 fee of one dollar (\$1) for each dog or cat license for purposes of  
5 assisting *California* public agencies, and *private entities*  
6 *contracting with those public agencies*, dealing with the animal  
7 health and shelter exigencies of high volume animal cruelty cases.  
8 *This fee shall not be subject to the reduction provided for spayed*  
9 *or neutered dogs or cats pursuant to Section 30525, 30804.5,*  
10 *31751.5, or 31765. "High volume animal cruelty cases" for*  
11 *purposes of this section shall refer to cases involving animal*  
12 *cruelty, including, but not limited to, animal fighting, puppy mills,*  
13 *animal collection, or similar cases, that pose a hardship to local*  
14 *animal services resources in light of the nature and number of*  
15 *animals seized.*

16 (b) Provide a grant and assistance program to distribute funds  
17 and other resources to agencies facing extraordinary resource  
18 shortfalls due to high-volume animal cruelty cases. This program  
19 ~~shall~~ *may include, but is not limited to:*

20 (1) Funds for ~~extraordinary~~ animal shelter and health care  
21 costs.

22 (2) Agreements for mutual assistance in the placement of  
23 recovered animals, short term and long term.

24 (3) Training to prepare for high-volume intake through state  
25 humane academies certified by the Commission on Peace Officers  
26 Standards and Training, or grants to provide appropriate personnel  
27 with that training.

28 (4) Funds for spaying and neutering animals recovered in  
29 high-volume cases to encourage long-term placement.

30 (5) *Funds for contracting with nonprofit entities for*  
31 *appropriate purposes consistent with mitigating the animal health*  
32 *and shelter exigencies of high volume animal cruelty cases in*  
33 *California.*

34 (c) Provide for an advisory role for groups like the State  
35 Humane Society of California, the California Veterinary  
36 Association, the California Animal Control Directors Association,  
37 and the Humane Society of the United States in the grant process  
38 and the planning and provision of training programs.

39 (d) Provide for any other animal care needs particular to  
40 high-volume animal ~~abuse~~ *cruelty* cases.



1 31904. Any license surcharge fees collected to fund a joint  
2 powers agreement or memorandum of understanding as provided  
3 for in Section 31902 shall not be subject to ~~the provisions of the~~  
4 *limitations on the expenditure of dog license fees provided in*  
5 Section 30652.

O

