

March 10, 2014

The Honorable Sharon Schwartz, Chairperson
House Committee on Agriculture and Natural Resources
Statehouse, Room 149-S
Topeka, Kansas 66612

Dear Representative Schwartz:

SUBJECT: Fiscal Note for HB 2737 by House Committee on Appropriations

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2737 is respectfully submitted to your committee.

HB 2737 would amend existing law to add any nonhuman primate and any wolf, excluding hybrids, to the list of dangerous regulated animals. Current law specifies the circumstances under which a person may possess, slaughter, sell, purchase, or otherwise acquire a dangerous regulated animal and requires persons who possess such animals to comply with the regulations of the United States Department of Agriculture (USDA). HB 2737 would prohibit any person from possessing, slaughtering, selling, purchasing, or otherwise acquiring a dangerous regulated animal, except if the person was 21 years of age or older, lawfully possessed the animal prior to July 1, 2013, and met a number of other requirements established by the bill. The bill would no longer require compliance with USDA regulations.

The bill would prohibit these animals from being in proximity to members of the public without sufficient distance and protective barriers, and if a dangerous regulated animal exposed a human to rabies or another transmittable disease, the owner of the animal would be required to notify the local animal control authority within 24 hours. The Kansas Department of Wildlife, Parks and Tourism or a person issued a permit by the Secretary of KDWP would no longer be exempt from statutory provisions concerning dangerous regulated animals; however, law enforcement officers and non-profit animal protection organizations temporarily housing these animals at the request of law enforcement officers would be exempt. The bill would establish requirements concerning transportation and confinement of legally owned dangerous regulated animals. Persons transporting these animals would be required to notify the State Veterinarian at least 72 hours before entering the state and provide information concerning the number and type of animals that will be transported. Only the owner or an employee of the owner who is a registered designated handler would be allowed to have custody or control of such an animal. In addition, the bill would make a number of technical corrections to existing statutes.

The Honorable Sharon Schwartz, Chairperson

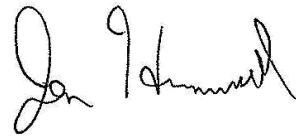
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According to the Kansas Department of Wildlife, Parks and Tourism, passage of HB 2737 would have a fiscal effect on the agency as it would be required to develop regulations related to the new classes of dangerous regulated animals. The agency estimates the one-time cost associated with developing these regulations to be \$5,000 for research, regulation drafting and development, public hearings, and regulation publication costs. This expense could be paid for out of existing resources. The agency also indicates that because dangerous regulated animals are regulated by local animal control authorities, there will be a fiscal effect on local governments. The agency is unable to estimate what that effect might be.

The League of Kansas Municipalities states that passage of HB 2737 could have a fiscal effect on cities that own or operate a zoo. The League is unable, however, to estimate what that effect might be. The Kansas Association of Counties also indicates that passage of the bill could have a fiscal effect on local governments, as local law enforcement agencies would be required to enforce the new provisions of the law. The Association is not able to estimate what the fiscal effect might be. The Kansas Department of Agriculture does not expect any fiscal effect on its budget from passage of the bill. Any fiscal effect associated with HB 2737 is not reflected in *The FY 2015 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Hummell". The signature is fluid and cursive, with a large initial "J" and "H".

Jon Hummell,
Interim Director of the Budget

cc: Chris Tymeson, KDWPT
Mark Heim, Agriculture
Melissa Wangemann, KAC
Larry Baer, LKM