

STORAGE NAME: h1421z.ag
DATE: May 4, 2000

****FAILED TO PASS THE LEGISLATURE****

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
AGRICULTURE
FINAL ANALYSIS**

BILL #: HB 1421
RELATING TO: Trapping Animals
SPONSOR(S): Representative Frankel
TIED BILL(S): None

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) AGRICULTURE
 - (2) CRIME & PUNISHMENT
 - (3) GENERAL GOVERNMENT APPROPRIATIONS
 - (4)
 - (5)
-

I. SUMMARY:

HB 1421 provides for animal traps to be checked at least once every 24 hours. Trapped animals must be supplied with necessary food, water, medical care, and adequate shelter from natural elements or man-made conditions. The animals must be released, relocated, or if they are to be killed, humanely euthanized within 48 hours after capture. If relocated, mother animals must not be separated from their dependent offspring, if possible.

This legislation has no fiscal impact on the state and has an effective date of July 1, 2000.

HB 489 was not considered and, therefore, died in the Agriculture Committee.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|--|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

Less Government: HB 1421 creates more regulations for persons trapping animals to follow.

B. PRESENT SITUATION:

N/A

C. EFFECT OF PROPOSED CHANGES:

Section 1: Provides for traps to be checked at least every 24 hours; requires trapped animals to be supplied with food, water, medical care, and adequate shelter from natural elements or man-made conditions; requires animals to be released, relocated, or if they are to be killed, humanely euthanized within 48 hours after capture; and, if relocated, mother animals must not be separated from the dependent offspring, if possible.

Section 2: Provides an effective date of July 1, 2000.

D. SECTION-BY-SECTION ANALYSIS:

Please see Section C. (Effect of Proposed Changes).

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

None

STORAGE NAME: h1421z.ag

DATE: May 4, 2000

PAGE 3

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or to take action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenue in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce any state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None

B. RULE-MAKING AUTHORITY:

None

C. OTHER COMMENTS:

The Humane Society of the United States: According to the Humane Society of the United States (HSUS), while they support the intent of the bill, they have concerns regarding the bill in its current form. Some of the concerns are:

STORAGE NAME: h1421z.ag

DATE: May 4, 2000

PAGE 4

- Since a substantial number of trapped animals are dogs and cats, there needs to be language which allows these animals to be transported to an appropriate animal shelter and held in compliance with local mandates. Some of these animals will ultimately be reclaimed by their owners, others will be adopted, and others euthanized. Relocation, release, or euthanasia are not the only options for trapped animals.
- Some of these trapped animals may include wild animals appropriate for rehabilitation which will be released at a later date. Occasionally, an animal may not be suitable for release back into the wild but could live out its life in the care of a legitimate rehabilitator.
- The types of traps allowed needs to be addressed, i.e. well-ventilated humane traps. Solid metal traps can be purchased from some feed stores and are essentially death traps for animals in the hot summer months.
- The Florida Rabies Compendium Committee (FRCC) may have concerns about relocating animals into a new area due to the possibility of introducing rabies into a population that may not already be infected. They should be consulted on this bill to ensure that it does not conflict with existing rabies compendium committee recommendations.
- The Florida Fish and Wildlife Conservation Commission (FFWCC) has some constitutional authority with regard to trapping procedures. They will need to be consulted to avoid any overlap of or contradiction with existing rules or statutes.
- Animal control and humane officers are represented by the Florida Animal Control Association (FACA) and should be consulted since they often use traps.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON AGRICULTURE:

Prepared by:

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Staff Director:

Susan D. Reese

FINAL ANALYSIS PREPARED BY THE COMMITTEE ON AGRICULTURE:

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