

TRANSMITTAL

To: **THE COUNCIL**

Date: **07/19/19**

From: **THE MAYOR**

TRANSMITTED FOR YOUR CONSIDERATION. PLEASE SEE ATTACHED.

A handwritten signature in blue ink, appearing to be 'Eric Garcetti', is written over a light blue circular stamp.

(Ana Guerrero) for

ERIC GARCETTI
Mayor

**BOARD OF
ANIMAL SERVICES
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City of Los Angeles
CALIFORNIA



ERIC GARCETTI
MAYOR

**DEPARTMENT OF
ANIMAL SERVICES**
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BRENDA F. BARNETTE
GENERAL MANAGER

TAMMY WATSON
ASSISTANT GENERAL MANAGER
Administration

MELISSA WEBBER
ASSISTANT GENERAL MANAGER
Lifesaving

DR. JEREMY PRUPAS
CHIEF VETERINARIAN

May 30, 2019

The Honorable Eric Garcetti
Mayor, City of Los Angeles
200 N. Spring Street, Room 303
Los Angeles, CA 90012

Attention: Ms. Mandy Morales, Office of the Mayor

**RE: RECOMMENDATION TO SUPPORT SENATE BILL NO. 64 (CHANG) – DOGS AND CATS:
MICROCHIP AND IMPLANT REQUIREMENTS**

Recommendation for Council Action, subject to the approval of the Mayor:

SUPPORT State Senate Bill No. 64 (Chang) – Dogs and Cats: Microchip and Implant Requirements.

At its meeting on May 14, 2019, the Board of Animal Services Commissioners considered and approved a recommendation of support for State Senate Bill No. 64 (Chang). Additional information concerning the Board's recommendation can be found in the attached approved board report.

If you have any questions with regards to the recommendation, please contact LaTonya Dean, Commission Executive Assistant at (213) 482-9597 or via e-mail at LaTonya.Dean@lacity.org.

Respectfully submitted,

Brenda F. Barnette

Brenda F. Barnette
General Manager

Attachment: May 14, 2019 Board Report – Senate Bill No. 64 (Chang)

cc: Bryan Oh, Office of the City Administrative Officer

Attachments

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Report to the Board of Animal Services Commissioners

MEETING DATE: May 14, 2019

PREPARED BY: Brenda Barnette

REPORT DATE: May 9, 2019

TITLE: General Manager

**SUBJECT: RECOMMENDATION TO SUPPORT SENATE BILL NO. 64 (CHANG) – DOGS AND
CATS: MICROCHIP IMPLANT REQUIREMENTS**

BOARD ACTION RECOMMENDED:

1. **SUPPORT** State Senate Bill No. 64 (Chang) – Dogs and Cats: Microchip Implant Requirements; and
2. **AUTHORIZE** staff to transmit this recommendation to the Mayor and City Council for consideration of adoption in the form of a Resolution by the City Council.

BACKGROUND:

In January 2019, Senator Ling Ling Chang introduced Senate Bill (SB 64) which would amend sections of the Food and Agricultural Code related to animals, to expand the current law which requires public animal control agencies or shelters, society for the prevention of cruelty to animal shelters, humane society shelters or rescue groups to microchip all dogs and cats before they are released to owners.

SUMMARY:

SB 64, which is co-authored by Assembly Members Steven Choi, Cristina Garcia and Patrick O'Donnell, would require the following conditions be met with regards to microchipping and releasing dogs and cats to owners seeking to reclaim them, adopting them out, selling them or giving them away:

1. The microchip must contain current information on the owner reclaiming the dog or cat, or new owner receiving the dog or cat, as applicable;

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2. If the shelter or rescue group does not have microchipping capability on location, the shelter or rescue group first obtains from the owner reclaiming the animal or new owner receiving the animal, an agreement to present to the shelter or rescue group, within the next 30 days, showing proof that the dog or cat is microchipped, as specified;
3. Exempts the requirement for the dog or cat to be microchipped if a licensed veterinarian certifies in writing that the dog or cat is medically unfit for the microchipping procedure because the dog or cat has a physical condition that would be substantially aggravated by the procedure; and
4. A shelter or rescue group that violates this section is subject to a civil penalty of five hundred dollars (\$500.00).

All animals admitted to the six Los Angeles Animal Services (LAAS) Centers are scanned for a microchip upon intake. Additionally, all cats, dogs and rabbits adopted from LAAS are microchipped and LAAS offers microchipping services to animals that were not adopted from the Centers. These efforts are done in hopes of reuniting lost companion animals to their families. SB 64 further expands the microchip implant requirements for all municipal shelters in California which could reduce the animal shelter population statewide and decrease the number of dogs of cats which may be humanely euthanized due to capacity constraints.

FISCAL IMPACT:

The support of SB 64 does not impact the General Fund.

Approved:


Brenda Barnette, General Manager

Attachment: SB 64

BOARD ACTION:

<input checked="" type="checkbox"/>	Passed	Disapproved	<input type="checkbox"/>
<input type="checkbox"/>	Passed with noted modifications	Continued	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	New Date	<input type="checkbox"/>

Introduced by Senator Chang

(Coauthor: Senator Wilk)

~~(Coauthor: Coauthors: Assembly Member Members Choi,~~
Cristina Garcia, and O'Donnell)

January 7, 2019

An act to add Sections 31108.3 and 31752.1 to the Food and Agricultural Code, relating to animals.

LEGISLATIVE COUNSEL'S DIGEST

SB 64, as amended, Chang. Dogs and cats: microchip implants.

Existing law requires that the holding period for a stray dog or cat impounded in a shelter be 6 business days, not including the day of impoundment, with exceptions, as provided. Existing law requires a shelter, during this holding period and before adoption or euthanasia, to scan the dog or cat for a microchip that identifies the owner of that dog or cat and to make reasonable efforts to contact the owner.

This bill would prohibit a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group from releasing a dog or cat to an owner seeking to reclaim it, or adopting out, selling, or giving away a dog or cat to a new owner, unless the dog or cat is microchipped. ~~Because a violation of these provisions would be a crime, the bill would impose a state-mandated local program.~~ *microchipped with current information on the owner or new owner or, if the shelter or rescue group does not have microchipping capability on location, the shelter or rescue group first obtains from the owner or new owner an agreement to present to the shelter or rescue group, within the next 30 days, proof that the dog*

or cat is microchipped, as provided. The bill would include an exception for a dog or cat that is medically unfit for a microchipping procedure, as provided. Under the bill, a shelter or rescue group that violates these provisions would be subject to a civil penalty of \$500.

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

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

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

1 SECTION 1. Section 31108.3 is added to the Food and
2 Agricultural Code, to read:

3 31108.3. ~~A~~(a) *Except as provided in subdivision (b), a public*
4 *animal control agency or shelter, society for the prevention of*
5 *cruelty to animals shelter, humane society shelter, or rescue group*
6 *shall not release a dog to an owner seeking to reclaim it, or adopt*
7 *out, sell, or give away a dog to a new owner, unless the one of the*
8 *following conditions is met:*

9 (1) ~~The dog is microchipped.~~ *microchipped with current*
10 *information on the owner reclaiming the dog or new owner*
11 *receiving the dog, as applicable.*

12 (2) *If the shelter or rescue group does not have microchipping*
13 *capability on location, the shelter or rescue group first obtains*
14 *from the owner reclaiming the dog or new owner receiving the*
15 *dog an agreement to present to the shelter or rescue group, within*
16 *the next 30 days, proof that the dog is microchipped as described*
17 *in paragraph (1).*

18 (b) *Notwithstanding subdivision (a), this section does not require*
19 *a dog to be microchipped if a licensed veterinarian certifies in*
20 *writing that the dog is medically unfit for the microchipping*
21 *procedure because the dog has a physical condition that would*
22 *be substantially aggravated by the procedure.*

23 (c) (1) *A shelter or rescue group that violates this section is*
24 *subject to a civil penalty of five hundred dollars (\$500).*

25 (2) *Chapter 7 (commencing with Section 31401) and Section 9*
26 *do not apply to a violation of this section.*

1 SEC. 2. Section 31752.1 is added to the Food and Agricultural
2 Code, to read:

3 31752.1. ~~A~~(a) *Except as provided in subdivision (b), a public*
4 *animal control agency or shelter, society for the prevention of*
5 *cruelty to animals shelter, humane society shelter, or rescue group*
6 *shall not release a cat to an owner seeking to reclaim it, or adopt*
7 *out, sell, or give away a cat to a new owner, unless the one of the*
8 *following conditions is met:*

9 (1) ~~The cat is microchipped.~~ *microchipped with current*
10 *information on the owner reclaiming the cat or new owner*
11 *receiving the cat, as applicable.*

12 (2) *If the shelter or rescue group does not have microchipping*
13 *capability on location, the shelter or rescue group first obtains*
14 *from the owner reclaiming the cat or new owner receiving the cat*
15 *an agreement to present to the shelter or rescue group, within the*
16 *next 30 days, proof that the cat is microchipped as described in*
17 *paragraph (1).*

18 (b) *Notwithstanding subdivision (a), this section does not require*
19 *a cat to be microchipped if a licensed veterinarian certifies in*
20 *writing that the cat is medically unfit for the microchipping*
21 *procedure because the cat has a physical condition that would be*
22 *substantially aggravated by the procedure.*

23 (c) (1) *A shelter or rescue group that violates this section is*
24 *subject to a civil penalty of five hundred dollars (\$500).*

25 (2) *Section 9 does not apply to a violation of this section.*

26 SEC. 3. ~~No reimbursement is required by this act pursuant to~~
27 ~~Section 6 of Article XIII B of the California Constitution because~~
28 ~~the only costs that may be incurred by a local agency or school~~
29 ~~district will be incurred because this act creates a new crime or~~
30 ~~infraction, eliminates a crime or infraction, or changes the penalty~~
31 ~~for a crime or infraction, within the meaning of Section 17556 of~~
32 ~~the Government Code, or changes the definition of a crime within~~
33 ~~the meaning of Section 6 of Article XIII B of the California~~
34 ~~Constitution.~~