

SESSION OF 2003

**CONFERENCE COMMITTEE REPORT BRIEF  
SENATE BILL NO. 145**

As Agreed to April 2, 2003

**Brief \***

House Sub. for SB 145 would amend the Kansas Pet Animal Act by permitting owners of animals seized or impounded by the Animal Health Department to post cash or security bonds for care and keeping expenses. The bonds shall prevent sales, placements, or euthanasia of such animals. The initial bond would pay for the first 30 days of expenses, at which time the owner would be able to post subsequent bonds to cover additional care and keeping expenses. At the end of time for which expenses are covered by the bond, the animals may be sold, placed, or euthanized. Nothing would prevent euthanasia at any time if an animal seized or impounded is determined by a licensed veterinarian to be diseased or disabled beyond recovery for any useful purpose.

**Background**

At the hearing on the original SB 46, the Executive Director of the Kansas Judicial Council, the Legislative Post Auditor, and the Director of the Animal Health Facilities Inspection Division of the Kansas Animal Health Department testified in support of the bill. They said the bill arose from a single case where boarding costs for animals that had been seized from their owners because of health, safety, or welfare reasons had exceeded \$60,000. The Post Audit report proposed posting a bond which would help the Animal Health Department recover the costs of caring for seized animals.

The Conference Committee on Sub. for SB 145 clarified the language of the bill making it clear that the securing of either the cash or security bond was permissive and that the existence of the bond by

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\*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. The conference committee summary report may be accessed on the Internet at <http://www.kslegislature.org/kldr>

the owners of animals would prevent sale, placement, or the euthanization of the animals. Euthanasia could still occur if a licensed veterinarian makes a determination that the animal is diseased or disabled beyond recovery for any useful purpose.

The Senate Committee on Federal and State Affairs amended the bill to require the bond to be in cash.

The House Committee on Agriculture substituted the provisions of SB 46 into SB 145, thus making House Sub. for SB 145. The Committee amended the provisions further by allowing security bonds in addition to cash bonds; by changing "may" to "shall" with respect to the bond preventing the sale, placement, or euthanization of seized animals; and by making euthanasia subject to the determination by a licensed veterinarian.

The fiscal note indicated that the Animal Health Department estimated the average annual cost based on a three-year average for all animals seized is \$9,000. A bond would require the owner to pay for the expenses of the animal rather than the Department.