

Date of Hearing: April 3, 2018

ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS

Evan Low, Chair

AB 2791 (Muratsuchi) – As Introduced February 16, 2018

SUBJECT: Stray animals: impoundment: kittens.

SUMMARY: Allows kittens that are reasonably believed to be unowned, have been impounded without their mothers, and require maternal care to be eligible for release to a qualifying nonprofit.

EXISTING LAW:

- 1) States that animals that are irremediably suffering from serious illness or injury may not be held for owner redemption or adoption. Animals that need maternal care and have not been impounded with their mothers may be euthanized. (Food and Agricultural Code (FAC) Section 17006)
- 2) Sets standards for holding periods for stray cats, including:
 - a) That the required holding period for cats be six days, with the first three days being for owner redemption and the second three days being for owner redemption or adoption.
 - b) That a stray cat is eligible to be released to a nonprofit, animal rescue, or adoption organization rather than be euthanized.
 - c) That during the holding period, the shelter shall scan the animal for a microchip and make reasonable efforts to contact the owner. (FAC Section 31752)

THIS BILL:

- 1) Allows newborn kittens to be released prior to the scheduled euthanasia of that animal to a nonprofit, as defined by Section 501(c)(3) of Title 26 of the United States Code, animal rescue or adoption organization if requested by the organization.

FISCAL EFFECT: None. This bill is not keyed fiscal.

COMMENTS:

Purpose. This bill is sponsored by the **American Society for the Prevention of Cruelty to Animals (ASPCA)**. According to the author: “Despite recent reductions in intake and euthanasia, cats and kittens admitted into public shelters continue to experience poor outcomes. Kittens are at a high risk of euthanasia in many public animal shelters. AB 2791 allows kittens to be made immediately available to nonprofit rescue groups to pull from a shelter, waiving the three day hold period, which will increase their odds of a positive outcome.”

Background. This bill would shift the standard established in existing law that stipulates that kittens impounded without their mothers may be euthanized without hope for adoption. Instead, this bill would allow a nonprofit to be eligible for transfer of the animal if they request it before the scheduled euthanasia of the kitten.

The statewide statistics for kitten euthanasia are challenging to obtain, but each year 700,000 to 800,000 animals are taken in by public and private shelters in California, less than half of which are adopted. It is unclear how many of these impounded animals are newborn kittens without their mothers present.

Current Related Legislation. ACR 153 (Santiago) of the current legislative session urges communities in California to implement policies that support the adoption of healthy cats and dogs from shelters by 2025.

Prior Related Legislation. AB 485 (O'Donnell), Chapter 740, Statutes of 2017 prohibits pet store operators from selling a live cat, dog, or rabbit in a retail pet store unless the animal was obtained from a public animal control agency or shelter or rescue group.

ARGUMENTS IN SUPPORT:

The ASPCA writes, "Every year tens of thousands of kitten are unnecessarily euthanized by shelters. AB 2791 would make a slight change to current law that would allow shelters to avoid this very unfortunate outcome."

ARGUMENTS IN OPPOSITION:

None on file.

REGISTERED SUPPORT:

American Society for the Prevention of Cruelty to Animals

REGISTERED OPPOSITION:

None on file.

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