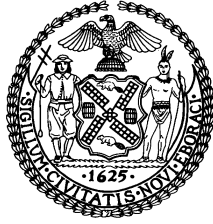


**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION**



LATONIA MCKINNEY, ACTING DIRECTOR

FISCAL IMPACT STATEMENT

PRECONSIDERED MAYOR'S MESSAGE:

A. 2046 (Kavanagh)

S. 5048 (Serrano)

COMMITTEE: State and Federal Legislation

TITLE: AN ACT to amend chapter 115 of the laws of 1894, in relation to the better protection of lost and strayed animals, in relation to licensing of dogs in a certain city; to amend the administrative code of the city of New York, in relation to the animal population control fund; and to repeal certain provisions relating to the better protection of lost or strayed animals relating to licensing of dogs in a certain city.

SPONSOR: Mayor's Message

SUMMARY OF LEGISLATION: Under the proposed legislation, the base fee for a sterilized dog license would be set by the City Council, rather than by the State, and the proposed legislation would mandate that the fee for an unsterilized dog shall be at least 85% greater than the amount of the base fee. The City Council, rather than the State, would determine via local law any late fee that may be imposed, but the proposed legislation would require that such fee not be greater than 20% of the base fee for a license. The proposed legislation would add a requirement that all dog licensing fees must be equal, regardless of the breed of the dog. The proposed legislation would maintain the requirement that all dog owners in New York City procure a license for their dog and would require applicants to submit enumerated information to the Department of Health and Mental Hygiene (DOHMH) in order to receive such license. Also, it would give DOHMH sole authority to enforce the provisions of the law, including issuing and renewing licenses and collecting fees. Moreover, this legislation would add a provision that anyone holding a permit pursuant to section 161.09 of the Health Code would be prohibited from transferring ownership of a dog in New York City without first requiring the new owner submit a license application prior to such transfer. The legislation would also permit the seller or transferor of a dog to retain a fee of up to 10% of the base fee from a license.

The proposed legislation would increase the penalties for not licensing a dog from \$10 to no more than \$75 for a first violation and no more than \$100 for a subsequent violation within five years of the first violation. Lastly, the proposed legislation would clarify that notices of violation would be issued by DOHMH or any other entity designated by the Commission and returnable to the Environmental Control Board (ECB) or the DOHMH tribunal at the Office of Administrative Trials and Hearings (OATH). The licensing requirements would not apply to people temporarily residing in the City for less than thirty days, to people within the first thirty days after becoming a City resident or to dogs in the temporary custody of an owner for purposes of adoption, boarding, training or other temporary situations. Finally, this legislation requires that the additional fees for licensing unsterilized dogs and three-fourths of the amount of any penalties assessed be deposited in the City's animal population control fund.

EFFECTIVE DATE: This legislation would take effect sixty days after its enactment into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2015

FISCAL IMPACT STATEMENT:

	Effective FY14	FY Succeeding Effective FY15	Full Fiscal Impact FY15
Revenues (+)	\$0	\$480,000	\$480,000
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$480,000	\$480,000

IMPACT ON REVENUES: According to the Administration, as a result of this legislation DOHMH would generate approximately \$480,000 in revenue annually for every \$5.00 increase from the current \$8.50 base rate for dog licenses, assuming current number of licenses (96,000) remains constant.

IMPACT ON EXPENDITURES: There would be no impact on expenditures as a result of the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: NYC Department of Health and Mental Hygiene

ESTIMATE PREPARED BY: Crilhien Francisco, Legislative Financial Analyst
City Council Finance Division

ESTIMATE REVIEWED BY: Latonia McKinney, Acting Director, City Council Finance Division
Tanisha Edwards, Chief Counsel, City Council Finance Division

DATE SUBMITTED TO COUNCIL: May 12, 2013

FIS HISTORY: This bill will be voted out of the State and Federal Legislation Committee as a Preconsidered Mayor's Message on May 12, 2014. Following a successful vote, the Preconsidered Mayor's Message will be introduced and voted on by the Full Council on May 14, 2014.