

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington St., Suite 301
Indianapolis, IN 46204
(317) 233-0696
iga.in.gov

FISCAL IMPACT STATEMENT

LS 6982

BILL NUMBER: HB 1248

NOTE PREPARED: Feb 15, 2022

BILL AMENDED: Feb 14, 2022

SUBJECT: Direct Contact with Specified Animals.

FIRST AUTHOR: Rep. Abbott

FIRST SPONSOR: Sen. Doriot

BILL STATUS: As Passed Senate

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill prohibits a person that owns or possesses a specified animal from allowing a member of the public to come into direct contact, or enter into a proximity that allows for or permits direct contact, with the specified animal. It prohibits the Department of Natural Resources (DNR) from adopting a rule to designate additional specified animals. It requires that a person who owns a specified animal must have a commercial animal dealer, breeder, or exhibitor's license issued by the United States Department of Agriculture (USDA).

The bill provides that a violation of the law is a Class B infraction. It excludes from the substance of the bill physical contact or proximity between certain persons and a specified animal. It defines terms.

Effective Date: July 1, 2022.

Explanation of State Expenditures: The bill allows the Natural Resources Commission (NRC) to adopt rules to implement the new provisions. Adoption of rules is a routine administrative function of the NRC and should not require additional resources.

Explanation of State Revenues: The bill establishes a Class B infraction for an owner of a specified animal who does not have a USDA license or who knowingly or intentionally allows a member of the public to come into direct contact with a specified animal or enter into a proximity that allows for or permits direct contact. The maximum judgment for a Class B infraction is \$1,000, which would be deposited in the state General Fund. However, the bill provides that the court shall assess the amount of the fine solely on the basis of the individual members of the public who are exposed to the animal. Any additional revenue is likely to be small.

Additional Information: The number of specified animals listed in the bill that are owned by Indiana residents is unknown. There are currently 708 wild animal possession permits, only 12 of which are for animals listed in the bill. These numbers do not include wild animals at animal sanctuaries and rescue centers as the NRC does not require wild animal permits for USDA-licensed breeders, dealers, and exhibitors.

Explanation of Local Expenditures:

Explanation of Local Revenues: If additional court actions are filed and a judgment is entered, local governments would receive revenue from court fees. However, any additional revenue is likely to be small.

State Agencies Affected: Department of Natural Resources, Natural Resources Commission.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Caitlin Smith, Department of Natural Resources.

Fiscal Analyst: Heather Puletz, 317-234-9484.