

SENATE BILL 3850

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 68,  
relative to rabies.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-8-107 (c), is amended by deleting the existing language in its entirety and by substituting instead the following:

(c) If any dog or cat is not wearing a vaccination tag or other identification, the animal may be adopted or destroyed, unless legally claimed by the owner within five (5) days.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**SB 3850 - HB 3834**

March 2, 2010

**SUMMARY OF BILL:** Extends from three to five days the amount of time an owner has to legally claim his or her dog or cat that is found without a vaccination or identification tag prior to animal being adopted or destroyed.

**ESTIMATED FISCAL IMPACT:**

**Increase Local Expenditures – Exceeds \$100,000\***

Assumptions:

- Currently, owners of dogs and cats that are wearing a rabies tag or other identification have five days to claim their pets.
- Currently, most local animal shelters will hold this grouping of animals for longer than three days if they have available space.
- For shelters that do not have space and would be required to hold these animals for two additional days will result in an increase in local government expenditures for establishing space and providing care. The estimated increase is estimated to exceed \$100,000.

\*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "James W. White".

James W. White, Executive Director

/kml

Amendment No. 1 to SB3850

Crowe  
Signature of Sponsor

**AMEND Senate Bill No. 3850\***

**House Bill No. 3834**

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-8-103(g), is amended by adding the following language immediately after the existing language:

The commissioner of health shall have the authority to charge a registration fee for each vaccination certificate prepared pursuant to this part..

The amount of the fee is not to exceed that amount required by the cost of the program and all administrative requirements for the collection of the fee shall be promulgated by rule pursuant to the commissioner's authority under § 68-8-112.

SECTION 2. For purposes of rulemaking, including emergency rulemaking, this act shall become effective upon becoming law. For all other purposes, this act shall become effective on July 1, 2010, the public welfare requiring it.

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 3850 – HB 3834

March 30, 2010

**SUMMARY OF AMENDMENT (016012):** Deletes all language after the enacting clause and authorizes the Commissioner of Health to charge a registration fee for each vaccination certificate that does not exceed the cost of the program.

FISCAL IMPACT OF ORIGINAL BILL:

Increase Local Expenditures – Exceeds \$100,000\*

\*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

**Increase State Revenue - \$1,000,000/Rabies Vaccination Certificate Fee**  
**Decrease State Expenditures - \$1,000,000/General Fund**

**(Reflected in the Governor's FY10-11 Recommended Budget)**

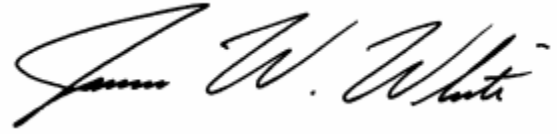
Assumptions applied to amendment:

- According to the Department of Health, there will be a fee of \$1 per registration established that will result in \$1,000,000 in service fee revenue.
- Currently, the rabies vaccination program is 100 percent funded through the General Fund. This will result in a decrease in \$1,000,000 in General Fund expenditures for the program. The \$1,000,000 in increased revenue will not completely fund the program.
- The Governor's proposed budget proposes to replace \$1,000,000 of General Fund dollars with \$1,000,000 service fee revenue in the program's budget.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

SB 3850 – HB 3834

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large initial "J" and a distinct "W".

James W. White, Executive Director

/kml