

Senate Bill 1459

Senator Janet Nguyen (36th District)

Summary

SB 1459 which a) establishes the standard reporting requirements for animal shelters operating in counties with populations greater than 400,000; and b) provides that population control of community cats through so-called “trap-neuter-return,” or TNR, programs does not constitute animal abandonment as defined in the Penal Code.

Background

Unwanted pets remains a serious problem in California. An estimated 500,000+ cats and dogs entered California animal shelters in 2023. Unfortunately, over 10% of them did not find a home and were euthanized. With 232 animal shelters in California there are no standardized reporting requirements for animal shelters. Standard reporting will ease the search by people looking for a pet to adopt. SB 1459 will also allow better comparisons between superior shelters and marginal ones and provide shelter operators an incentive to improve their operations. Data reporting plays a vital role in animal rescues informed decision-making processes. Data analytics help shape resource allocation, care plans, adoption and fundraising strategies. In the absence of strong data reporting systems, many challenges emerge. Gaps in data transparency create trust issues between shelters and the communities they serve.

Millions of unowned cats live and thrive freely and usually permanently outdoors in California communities, and are referred to as “community cats.” This phrase includes (1) feral or unsocialized cats and (2) cats

who lived with humans for a time, but have since been abandoned or moved to an outdoor life. After decades of research into the most humane way to deal with the issue, veterinary and animal welfare experts are in agreement that, as long as they are healthy, these cats should be part of programs in which they are trapped, sterilized, and returned to their outdoor homes.

These programs, known as “Community Cat Programs” or “Trap, Neuter and Return” (“TNR”), represent the most humane and practical means of addressing the community cat population. These practices provide veterinary care and assessment, and promote lifesaving efforts. They are the antithesis of anything approaching animal cruelty or criminal animal abandonment.

Clarifying that Community Cat Programs do not constitute animal cruelty will encourage more cities and counties to adopt these programs, without concern of any possible legal liability. The programs benefit the public (by reducing the impacts these cats have on the environment and wildlife), animal shelters (by allowing shelters to care for the animals most in need), and the cats themselves. This will clarify the legislative intent behind the law, promote benefits to all stakeholders, and eliminate any concern that there could be liability for supporting these programs.

Problem

1. With 232 animal shelters in California there are no standardized reporting requirements for animal

shelters, Without standardized reporting it is difficult to compare shelters and how they stack up with other shelters.

2. Because of some ambiguity in Penal Code Section 597s which makes it a misdemeanor to abandon an animal, some counties have curtailed their TNR programs and others are hesitant to initiate such programs in fear of criminal prosecution for animal abandonment.

Solution

1. Establish standard reporting requirements for animal shelters operating in counties with populations greater than 400,000.
2. Provide that population control of community cats through so-called “trap-neuter-return,” or TNR, programs does not constitute animal abandonment as defined in the Penal Code.

Support

CA Animal Welfare Assn. (if amended)

Status

Set for hearing in Senate Business, Professions and Economic Development Committee on April 22, 2024.