

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 38

(Senator Kramer)

Judicial Proceedings

Judiciary

Public Safety - Fire and Rescue - Veterinary Care of Retired Fire and Rescue K-9s

This bill requires a State or local fire and rescue entity that removes from duty a dog used in fire and rescue work to reimburse an individual who takes possession of the dog, as specified, for reasonable and necessary veterinary treatment provided to the dog. The bill allows fire and rescue entities to (1) accept donations to meet the bill's requirements and (2) establish a separate fund, as specified. The bill's provisions apply only to publicly owned dogs that are used by a State or local fire and rescue entity in fire and rescue work.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State finances or operations. The Office of the State Fire Marshal (OSFM) is a law enforcement agency. Owners who take possession of a dog removed from duty from OSFM are already eligible for reimbursement under Chapter 90 of 2021.

Local Effect: Potential minimal increase in local government expenditures to the extent that an individual is eligible for reimbursement from a local fire and rescue entity under the bill. Local revenues may increase minimally from donations, as discussed below.

Small Business Effect: None.

Analysis

Bill Summary: The bill requires a State or local fire and rescue entity that removes a publicly owned dog used in fire and rescue work from duty to reimburse an individual who, under a written agreement with the State or local fire and rescue entity, takes possession of the dog on or after October 1, 2022, for reasonable and necessary veterinary treatment provided to the dog. Reimbursement (1) may only be for usual and customary veterinary treatment that is not attributable to abuse or neglect of the dog and is verified by written receipt and (2) may not exceed \$2,500 during a calendar year and \$10,000 over the life of the dog.

A State fire and rescue entity may accept public donations to meet the bill's requirements. The revenue from public donations must be distributed to the K-9 Compassionate Care Fund (K-9 Fund), a special fund administered by the Department of State Police (DSP). A local fire and rescue entity may establish a separate fund to accept and manage public donations to meet the bill's requirements.

Current Law: Chapter 90 requires a State or local law enforcement agency that removes a publicly owned dog used in law enforcement work from duty to reimburse an individual who, under a written agreement with the law enforcement agency, takes possession of the dog on or after October 1, 2020, for reasonable and necessary veterinary treatment provided to the dog. Reimbursement (1) may only be for usual and customary veterinary treatment that is not attributable to abuse or neglect of the dog and is verified by written receipt and (2) may not exceed \$2,500 during a calendar year and \$10,000 over the life of the dog.

A State law enforcement agency may accept public donations to meet the requirements. The revenue from public donations must be distributed to the K-9 Fund, a special fund administered by DSP. In addition to public donations, the K-9 Fund consists of money appropriated in the State budget to the fund, interest earnings, and any other money from any other source accepted for the benefit of the fund.

The fund may be used only for the reimbursement of usual and customary veterinary treatment that is not attributable to abuse or neglect of an adopted former State law enforcement dog that is verified by written receipts and for administrative expenses. Expenditures from the fund may be made only in accordance with the State budget. Money expended from the fund for the veterinary care of retired State law enforcement dogs adopted under these provisions is supplemental to and is not intended to take the place of funding that would otherwise be appropriated for the veterinary care of retired State law enforcement dogs.

A local law enforcement agency may establish a separate fund to accept and manage public donations to meet the requirements.

Local Fiscal Effect: The bill's impact on local government expenditures likely varies by jurisdiction and depends on the number of dogs retired in any given year, the lifespan of affected dogs, and actual authorized veterinary expenses. The following information was gleaned from a survey of local governments:

- Prince George's County advises that the county has two dogs working in the county fire department and anticipates purchasing an additional two in the future. One dog has been retired from the department. The county assumes that local expenditures increase by approximately \$2,500 per year if no donations are received.
- Howard County anticipates a potential minimal increase in local expenditures due to the bill.

The potential for public donations to be used to offset these costs cannot be reliably estimated. However, to the extent any donations are received and accepted by local governments, local revenues increase and offset at least a portion of the estimated costs.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Maryland Institute for Emergency Medical Services Systems; Baltimore City; Howard, Montgomery, and Prince George's counties; Maryland Department of Emergency Management; University System of Maryland; Department of General Services; Department of Natural Resources; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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Analysis by: Shirleen M. E. Pilgrim

Direct Inquiries to:
(410) 946-5510
(301) 970-5510