



HB 361 - SB 310

March 10, 2021

SUMMARY OF ORIGINAL BILL: Authorizes any officer of a governmental animal control agency to enter any property or dwelling that the officer reasonably believes is abandoned to rescue any non-livestock animal.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (004563): Deletes and replaces language of the original bill such that the amended legislation authorizes any officer of a governmental animal control agency to enter any property or dwelling that the officer reasonably believes is abandoned to rescue any non-livestock animal, pursuant to a valid search warrant, search warrant exception, or landowner permission.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Pursuant to the Fourth Amendment of the United States Constitution, “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”
- Warrantless seizure of abandoned property, or of properties on an open field do not violate Fourth Amendment, because it is considered that having expectation of privacy right to such is not reasonable.
- Authorizing any officer of a governmental animal control agency to enter any property or dwelling that the officer reasonably believes is abandoned to rescue any non-livestock animal, pursuant to a valid search warrant, search warrant exception, or landowner permission will not significantly impact state or local government expenditures.

CERTIFICATION:

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

A handwritten signature in black ink that reads "Bojan Savic". The signature is written in a cursive style with a large initial 'B' and a distinct 'S'.

Bojan Savic, Interim Executive Director

/jg