

CONFIDENTIAL
LEGISLATIVE BILL REVIEW FORM: 2015

Bill Number: H.408 Name of Bill: An act to allow retrieval of domestic animals from the real property of another

Agency/Dept: DPS/VSP Author of Bill Review: Lt. Brian Miller

Date of Bill Review: 3.11.15 Related Bills and Key Players: _____

Status of Bill: (check one)

Upon Introduction _____ As passed by 1st body _____ As passed by both bodies

Recommended Position:

_____ Support Oppose _____ Remain Neutral _____ Support with modifications identified in # 8 below

Analysis of Bill

1. **Summary of bill and issue it addresses.** *This bill allows the owner of a domestic animal to enter the property in order to retrieve the animal that entered the property. It holds harmless liability of the animal owner if it was unintentional. Any damage to real property would be the responsibility of the animal owner.*
2. **Is there a need for this bill?** *No, This bill will create more problems than it solves*
3. **What are likely to be the fiscal and programmatic implications of this bill for this Department?** **Law Enforcement may be called upon by the property owner who believes that the domestic animals owner is trespassing or using the animal as an excuse to trespass.**
4. **What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?** **N/A**
5. **What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** *(for example, public, municipalities, organizations, business, regulated entities, etc)N/A*
6. **Other Stakeholders:**
 - 6.1 **Who else is likely to support the proposal and why?** **Animal owners**
 - 6.2 **Who else is likely to oppose the proposal and why?** **Private property advocates**
7. **Rationale for recommendation:** **This bill will make the issue of trespassing complex and cause law enforcement to figure out if the animal unintentionally trespassed in the case that damage is done by the animal. Based on the low numbers of times this bill would be needed it is not recommended.**
8. **Specific modifications that would be needed to recommend support of this bill:** *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*

Please return this bill review as a Microsoft Word or PDF document to laura.gray@state.vt.us and Jessica.mishaan@state.vt.us

9. Gubernatorial appointments to board or commission?

Secretary/Commissioner has reviewed this document

A handwritten signature in blue ink, appearing to be "K. Gray", written over a faint rectangular stamp.

Date: 4/10/15