



Date: June 7, 2011
To: Honorable Mayor and City Council
From: Councilmember Patrick O'Donnell, Chair, State Legislation Committee
Subject: **SENATE BILL 702 (LIEU) REGARDING MICROCHIPPING OF ANIMALS**

The State Legislation Committee, at its meeting held Tuesday, May 31, 2011, considered communications relative to the above subject.

It is the recommendation of the State Legislation Committee that the City Council concur in the recommendations of the Committee to discuss and take action on Senate Bill 702 (Lieu) regarding microchipping of animals.

Respectfully submitted,

STATE LEGISLATION COMMITTEE


Councilmember Patrick O'Donnell, Chair

Prepared by:
Dina Lopez Wild



Date: June 7, 2011

To: Mayor and Members of the City Council

From: Patrick O'Donnell, Chair of the State Legislation Committee 

Subject: **Recommendation to consider a City position on Senate Bill 702 (Lieu) regarding microchipping of animals**

On Tuesday, May 31, 2011, the State Legislation Committee held a meeting to discuss SB 702 (Lieu), and recommended consideration by the full City Council. This bill would require animal control agencies, shelters, societies for the prevention of cruelty to animal shelters, and/or rescue groups to ensure that dogs and cats adopted or claimed are implanted with an identifying microchip upon their release.

Additional information regarding this bill is included in the attached fact sheet.

Fiscal Impact: There is no additional fiscal impact in taking a legislative position on a bill, as resources are already budgeted for legislative advocacy.

Recommendation: Consider a City position Senate Bill 702 (Lieu) regarding microchipping of animals.



SB 702 (LIEU): DOG LICENSING: MICROCHIP IMPLANTS

AS AMENDED: APRIL 27, 2011

JUNE 2011

Introduction

The following is an analysis of SB 702 (Lieu). This legislation would require animal control agencies, shelters, societies for the prevention of cruelty to animal shelters, and/or rescue groups to ensure that dogs and cats adopted or claimed are implanted with an identifying microchip upon their release.

Bill Summary

SB 702 would require an owner of a dog or cat that is adopted or impounded and claimed by the owner from a local animal shelter to implant an identifying microchip in the animal upon release, if a microchip is available. If a microchip is not available for implantation, the owner must do so within 30 days of the animal's release from the animal shelter. This bill adds language below to existing law:

Legislative language applicable to dogs –

No public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group shall release to an owner seeking to reclaim his or her dog, or sell or give away to a new owner, a dog that has not been microchipped.

If the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group that has custody of the dog does not have microchipping available on the premises, that entity may release the dog only upon the condition that the owner, or the adopter or purchaser, shall have 30 days to present proof to the entity from which the dog was obtained that the dog has been microchipped.

Legislative language applicable to cats –

No public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group shall release to an owner seeking to reclaim his or her cat, or sell or give away to a new owner, a cat that has not been microchipped.

If the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group that has custody of the cat does not have microchipping available on the premises, that entity may release the cat only upon the condition that the owner, or the adopter or purchaser, shall have 30 days to present proof to the entity from which the cat was obtained that the cat has been microchipped.

This bill applies to all “for-profit” and “not-for-profit” animal groups.

Committee Analysis

The legislative committee analysis provided by the Senate Committee on Business, Professions and Economic Development gives a brief description on the practice of microchipping, and depicts viewpoints from supporters and opponents of this bill.

Microchipping. The practice of microchipping pets is intended to link the animal with the animal owner via implanting a microchip that is programmed with a unique identification number and the owner's contact information. The entire device is small enough to fit into a hypodermic needle and is injected under the skin of the animal, where it will stay for the lifetime of the pet. According to

the Author, implementing the microchip is essentially the same as administering a vaccine. A pet may feel a little pinch, and any pain should be over very quickly. Due to the simple nature of implanting a microchip, a veterinarian is not required; rather a veterinarian technician or a registered veterinarian technician may perform the procedure. When an animal shelter or a veterinarian finds a pet, a scanner is used to detect the pet's microchip, which will ideally link the pet to the owner's contact information in a database.

Microchipping Costs. The price of implanting a microchip can vary from \$5 - \$75. Several local municipalities and non-profit organizations offer microchipping at no cost to the owner and other local providers include low cost microchip resources. The varying costs are due to the fact that veterinarians charge varying fees for microchipping based on the market they are located in. This bill considers the idea not every animal control agency or shelter currently has the ability to provide microchipping services on the premises. In these instances, a provision in SB 702, allows those animal control agencies or shelters to release the animal upon the condition that the new owner, or the adopter of the pet, shall have 30 days to present proof to the entity from which the animal was obtained, that the animal has been microchipped.

Supporters. Supporters of this bill believe that microchipping is a safe and effective way to get the animals back home, or even prevent them from ever even entering the shelter system in the first place. Additionally, they believe that this requirement will help cities and counties save their dwindling resources through reduced costs resulting from lower euthanasia and faster reunification rates.

Opponents. The only registered opponent to this bill is the California Responsible Pet Owners' Coalition (CaRPOC). CaRPOC states that owners are reluctant to microchip their dogs because studies have shown, "When a dog is microchipped, the site of implantation may become swollen or infected; the chip may fail or migrate in the animal's body; and tumors and cancers have developed at the site of implanted chips, necessitating amputation or worse." Additionally, they state that competitors often make their own scanners, which will not read another competitor's chips.

City of Long Beach Microchipping Program

The City of Long Beach currently has this requirement in place by local ordinance. Therefore, there is not expected to be any local impact. This bill would extend the Long Beach practice statewide.

Support **As of April 28, 2011*

Social Compassion in Legislation (Sponsor)
Animal Legal Defense Fund
Human Society of the United States
Santa Cruz Society for the Prevention of Cruelty to Animals
Take Me Home Animal Rescue

Opposition **As of April 28, 2011*

California Responsible Pet Owners' Coalition

Legislative History

- Introduced to the Legislature, February 18, 2011.
- Pass Senate Committee on Business, Professions and Economic Development (7-1), May 1, 2011.
- Pass Senate Committee on Appropriations on Senate Rule 28.8, May 16, 2011.
- Pass Senate floor (31-6), May 31, 2011.
- **Current Status:** Ordered to the Assembly.



City of Long Beach Memorandum
Working Together to Serve

REQUEST TO ADD AGENDA ITEM

Date: *June 3, 2011*

To: Larry Herrera, City Clerk

From: *Councilmember Patrick O'Donnell*

Subject: Request to Add Agenda Item to Council Agenda of *June 7, 2011*

Pursuant to Municipal Code Section 2.03.070 [B], the City Councilmembers signing below request that the attached agenda item (due in the City Clerk Department by Friday, 12:00 Noon) be placed on the City Council agenda under New Business via the supplemental agenda.

The agenda title/recommendation for this item reads as follows:

Consider a City position on Senate Bill 702 (Lieu) regarding microchipping of animals.

| Council District | Authorizing Councilmember | Signed by |
|------------------|---------------------------|--------------------------|
| 4 | Patrick O'Donnell | <i>Patrick O'Donnell</i> |
| 1 | Robert Garcia | <i>Robert Garcia</i> |
| 7 | James Johnson | <i>Michael Chu</i> |