



# THE CAT FANCIERS' ASSOCIATION, INC.

## World's Largest Registry of Pedigreed Cats

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April 28, 2009

Senate Appropriations Committee  
ATTN: Mark McKenzie  
State Capitol, Room 2206  
Sacramento, CA 95814

Re: SB 250 as amended April 21, 2009 **OPPOSITION**  
An act to add Section 30804.6 to the Food and  
Agricultural Code, relating to animals.

Dear Mr. McKenzie;

I am writing on behalf of The Cat Fanciers' Association, Inc.<sup>1</sup> to oppose SB 250 as amended on April 21, 2009. The bill is currently set for hearing on May 4, 2009 before the Appropriations Committee. While much of SB 250 applies dogs, the provisions regarding cats are unworkable, costly and may have many unintended consequences. Local governments would incur unnecessary costs implementing the provisions of this bill and we are urging a no vote by the committee.

SB 250 requires that owners or "custodians" of outdoor cats have the cats spayed or neutered. Many outdoor cats are strays, feral cats or otherwise unowned or loosely owned. Studies show that 87-92% of owned cats are already spayed or neutered; unowned cats are altered at a rate of less than 5%. These cats have no owners to fine or punish, so the bill will have no positive effect on the problem. But the bill would have a deterrent effect on concerned citizens trying to help deal with the problem.

Each of California's 58 counties and 480 cities would be required to create ordinances or programs to implement this unfunded mandate, diverting limited resources from already overburdened animal control

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<sup>1</sup> *The Cat Fanciers' Association, Inc. (CFA) is a non-profit organization founded in 1906. Part of CFA's mission is to enhance the well-being of all cats. CFA participants, who breed and show pedigreed cats, are active in cat health promotion, cat breed rescue, shelter support and other animal related programs throughout the world. CFA is a positive force that has helped to educate the public about proper cat care, spay/neuter and responsible pet ownership. CFA is proud of its self-regulation programs to encourage high standards of care for cats in multi-cat breeding environments. A voluntary "Cattery of Excellence" program and breeder mentoring program are part of ongoing efforts to ensure responsible breeding and good cattery environments.*

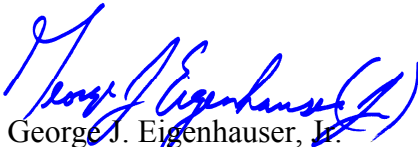
departments. This bill would require that any owner or custodian who sells or gives away a cat for adoption report certain information to the local authorities. A person who takes in a pregnant stray cat and finds homes for the kittens could be subject to the reporting requirements. Local governments would incur costs in recording and processing the information required.

SB 250 would classify anyone who feeds or cares for a stray cat for more than 30 days as its "custodian." Studies have shown that many Californians care for stray cats, perhaps 10-12% of the population. Many of these cats will eventually become owned pets as kind hearted persons take in unowned cats. As many as 35% of the owned cats in California were obtained for free by their owner as strays, or kittens of strays or cats taken in by another and given to the current owner. Criminal penalties imposed on people providing care for stray cats discourages otherwise caring individuals from coming to the aid of unowned/feral cats. Under this bill a custodian who fails to spay and neuter every cat being helped would be subject to penal sanctions. This acts as a deterrent to caring for outdoor cats and diminishes the chances the cat will be given a home.

The use of the term "custodian" in SB 250 diminishes the legal rights of owners and the legal status of our pets. The important factor in reducing the reproduction of unowned/free-roaming cats is the point when a person declares "I own this cat" because this leads to their taking responsibility. How many times has animal control heard people say: "I don't own this cat, I'm not responsible"? People understand that property rights of ownership protect our abilities to possess, transfer, provide care and plan reproduction as long as it is humane. Use of the term "custodian" lacks the responsibility inherent in ownership and its use diminishes the value of cats in our society.

CFA encourages individuals to spay/neuter and provide lifelong care for homeless cats found in neighborhoods, commercial areas and back yards. Criminalizing acts of kindness are not the way to solve the problems with free roaming cats. SB 250 will only add to the numbers of cats killed at local shelters. This is both inhumane and costly. We urge a no vote on SB 250.

Very truly yours,

  
George J. Eigenhauser, Jr.  
CFA Legislative Coordinator

CC: Senate Appropriations Committee members  
Pamela DelaBar, CFA President  
Allene Tartaglia, CFA Executive Director