



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

March 27, 2000

S. 345

A bill to amend the Animal Welfare Act to remove the limitation that permits interstate movement of live birds, for the purpose of fighting, to states in which animal fighting is lawful

*As ordered reported by the Senate Committee on Agriculture, Nutrition, and Forestry
on March 2, 2000*

CBO estimates that implementing S. 345 would not result in any significant cost to the federal government. Because enactment of S. 345 could affect direct spending and receipts, pay-as-you-go procedures would apply to the bill, however, CBO estimates that any impact on direct spending and receipts would not be significant. S. 345 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

S. 345 would impose a new private-sector mandate as defined by UMRA. CBO estimates that the cost to comply with the mandate would fall below the annual threshold established under UMRA for private-sector mandates (\$100 million in 1996, adjusted for inflation).

Under current law, any person is prohibited from transporting or delivering a dog or other animal—with the exception of live birds—between states to participate in an animal fighting venture. S. 345 would amend the Animal Welfare Act to remove that exception and ban the interstate movement of live birds for the purpose of fighting. Such fighting is legal in Louisiana, New Mexico, and Oklahoma and the possession of gamecocks with the intent to fight is legal in 21 states. S. 345 would prohibit the gamefowl breeders in those 21 states from transporting their birds with the intent to fight to the three states where such fighting is legal. The bill would not prohibit the gamefowl breeders from exporting their birds with the intent to fight or from transporting them for reasons other than to fight. According to industry and government sources, the net income derived from the legal sales of live birds for the purpose of fighting is less than \$100 million a year. Therefore, the cost to those breeders to comply with the new prohibition, measured as lost income, would be below the annual threshold for private-sector mandates.

Because S. 345 would ban the interstate movement of live birds for the purpose of fighting, the federal government would be able to pursue cases that it otherwise would not be able to

prosecute. CBO expects that any increase in federal costs for law enforcement, court proceedings, or prison operations would not be significant, however, because of the small number of cases likely to be involved. Any such additional costs would be subject to the availability of appropriated funds.

Because those prosecuted and convicted under S. 345 could be subject to criminal fines, the federal government might collect additional fines if the bill is enacted. Collections of such fines are recorded in the budget as governmental receipts (revenues), which are deposited in the Crime Victims Fund and spent in subsequent years. CBO expects that any additional receipts and direct spending that would result from enacting this bill would not be significant.

The CBO staff contacts for this estimate are Dave Hull (for federal costs), and Jean Wooster (for the private-sector impact). This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.