

Date of Hearing: May 13, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 2344 (Haney) – As Amended April 23, 2026

Policy Committee: Public Safety

Vote: 9 - 0

Urgency: No

State Mandated Local Program: Yes

Reimbursable: Yes

SUMMARY:

This bill establishes procedures authorizing a court, in a criminal case alleging specified animal cruelty offenses, to order forfeiture of a seized or impounded animal before final disposition of the criminal case, 30 days after the defendant fails to appear in court. The bill also authorizes the prosecution, where a defendant charged with specified animal cruelty offenses is granted diversion, to request a court order prohibiting the defendant from owning, possessing, caring for, or residing with animals.

Specifically, this bill:

- 1) Authorizes the animal control agency in possession of a seized or impounded animal to request that the prosecuting attorney file a forfeiture petition if the defendant has failed to appear.
- 2) Requires the forfeiture hearing to be conducted within 14 days after the filing of the petition, or as soon as practicable.
- 3) Provides that the animal control agency has the burden of establishing by a preponderance of the evidence that the defendant is not able to properly care for the animal.
- 4) Requires the court, if the petitioner meets its burden, to order immediate forfeiture and transfer of the animal to the animal control agency or appropriate entity for adoption or other disposition.
- 5) Authorizes the prosecution, where a defendant is granted diversion, to request a court order prohibiting the defendant from owning, possessing, caring for, or residing with animals.

FISCAL EFFECT:

- 1) Workload costs (Trial Court Trust Fund, General Fund) of an unknown amount to the trial courts to hear pre-disposition forfeiture petitions within 14 days of filing. Although courts are not funded on the basis of workload, increased pressure on the Trial Court Trust Fund may create a need for increased funding for courts from the General Fund.
- 2) Workload costs (local funds) to county district attorneys to file forfeiture petitions and serve process on defendants. County district attorney costs are not state-mandated local program costs absent a determination by the Commission on State Mandates.

- 3) Workload costs (local funds) to local animal control agencies to request forfeiture petitions, publish notices on agency websites where service by registered mail or personal delivery is unsuccessful, attend hearings, and arrange adoption or other disposition of forfeited animals.
- 4) Potential offsetting savings to local animal control agencies from reduced shelter-holding costs for animals seized in connection with criminal cases where the defendant has failed to appear. The Public Safety analysis cites Los Angeles County Department of Animal Care and Control figures indicating shelter costs of approximately \$105.80 per animal per day, and reports that the average length of stay for an animal whose case has not been dispositioned is 281 days, equating to approximately \$30,000 per animal. Magnitude depends on how often the forfeiture authority is invoked and varies by county.

COMMENTS:

- 1) **Purpose.** According to the author:

Animals rescued from abuse should not be stuck in cages for months or even years just because a court case is still dragging on... AB 2344 offers a simple fix. It allows shelters to ask the court for permission to place abused animals with the right agency or into a safe adoptive home before the case is over. That means vulnerable animals can get out of overcrowded shelters and into stable, loving homes sooner.

- 2) **Background.** Existing law authorizes seizure and impoundment of animals based on a reasonable belief that prompt action is required to protect the health or safety of the animal or others, and establishes post-seizure hearing procedures. Existing law requires forfeiture of seized animals upon conviction for specified animal cruelty offenses. This bill establishes a new pre-disposition forfeiture pathway triggered by the defendant's failure to appear in court, applicable to specified animal cruelty offenses.

The Public Safety Committee analysis cites figures from the Los Angeles County District Attorney's office and the Los Angeles County Department of Animal Care and Control indicating that shelter costs are \$105.80 per animal per day, that the average length of stay for an animal whose case has been dispositioned without a specified failure to appear is 94 days (approximately \$10,000 per animal), and that the average length of stay for animals whose cases have not been dispositioned is 281 days (approximately \$30,000 per animal). The analysis also discusses kennel syndrome — behavioral changes resulting from prolonged shelter confinement — as a non-fiscal consideration favoring earlier disposition.

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