



Bill Ketzer  
Senior Director,  
Eastern Division  
Government Relations

P.O. Box 158  
Delmar, NY 12054  
bill.ketzer@aspca.org  
Cell: 646-315-1416

**BUDGET TESTIMONY  
FY 2026 BUDGET LANGUAGE – COMPANION ANIMAL CAPITAL FUND (CACF)**

**Agriculture/ Joint Legislative Public Hearing  
January 27, 2025**

Thank you for the opportunity to provide testimony on behalf of the American Society for the Prevention of Cruelty to Animals (ASPCA) and its 230,000 supporters in New York State. Your compassionate and forward-thinking actions over the last several sessions to protect our most at-risk animal populations are unprecedented and have established the Empire State as a true leader in animal welfare policy. We respectfully urge your favorable consideration of the budget items below, in the interest and support of that remarkable work.

**Companion Animal Capital Fund**

Governor Hochul's FY26 Executive Budget proposal includes \$5 million for the Companion Animal Capital Fund (CACF) – the fourth year in which the Fund has been proposed by the Executive. This initiative first became a reality in 2017 as a proposal advanced by the Legislature, and it has delivered \$33 million to 70 shelter organizations for much-needed capital improvements since that time. *We ask that you renew this commitment with a legacy allocation of \$5 million to match the Governor's \$5 million line item, bringing the Fund to a total of \$10 million.*

With over \$77 million in additional capital needs across the state – and with the Companion Animal Care Standards Act of 2022 becoming effective this December – more organizations are applying for this funding. A \$10 million appropriation in FY26 for the CACF will mean that more animal shelters and rescue organizations will be able to make the capital changes needed to meet these comprehensive new standards.

**Animal Crimes Fund**

Enforcing New York's criminal animal cruelty statutes comes with a series of significant challenges, beginning with the fact that the abused animal itself is evidence of the alleged crime. Unlike all other forms of evidence, however, they are also personal property and living, breathing, sentient creatures. They cannot be placed in secure storage unattended, or in an evidence locker until a criminal case is adjudicated.

Even when removed from severely neglectful or abusive situations, the quality of life for a seized dog, cat, horse or other animal can diminish significantly in a relatively short period of time

without a permanent living situation. At the same time, shelters have no way of knowing when a criminal case will be resolved. Depending upon numerous factors beyond their control, a conviction or dismissal can take months, if not years. During this same period, costs borne by impounding organizations increase proportionally and quickly become prohibitive. Animals entrusted to their care require food, water, veterinary care, and behavioral, enrichment and volunteer services that must be continuously available to the shelter's entire population.

While some impounding organizations successfully use the security petition process in current law in an effort to require accused abusers to pay these sheltering costs or convince a court to order them to surrender their pet, many have found this process expensive and unreliable. While district attorneys are authorized to assist a sheltering agency in this regard, it is typically the shelter that bears responsibility for filing the security petition. The situation is especially dire in rural areas, where shelters often must weigh providing care for animals or paying a lawyer to prepare the petition and represent the shelter in court.

In consideration of this long-standing and costly problem, the New York State Animal Protection Federation's proposal to create a \$2.5 million NYS Animal Crimes Fund could help eligible shelters offset the high costs of sheltering animals seized pursuant to criminal cases in all regions of the state. This problem is long-standing and well-known in municipal government, animal sheltering and law enforcement communities statewide. *We urge your serious consideration of NYSAPF's proposal, with the understanding that language must also be included to ensure efforts for recovering care costs are first directed at those accused of any animal crime before utilizing state funds for this purpose.*

Thank you for your time and consideration of these requests. We greatly appreciate your support, partnership and continued efforts on behalf of animal welfare.