

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 850

Short Title: Spay/Neuter Program.

(Public)

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Sponsors: Senators Kinnaird; Forrester, Foxx, Jenkins, Kincaid, Ledbetter, McDaniel, Miller, Perdue, Reeves, and Wellons.

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Referred to: Finance.

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April 15, 1997

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE COUNTIES TO ESTABLISH YEAR-ROUND LOW-COST  
SPAYING AND NEUTERING PROGRAMS TO BE FUNDED SOLELY BY  
TAXES AND FEES PAID BY PET OWNERS.

The General Assembly of North Carolina enacts:

Section 1. Article 34 of Chapter 106 of the General Statutes is amended by adding a new Part to read:

**"PART 6A. SPAY/NEUTER FUND.**

**"§ 106-363.5. Spay/Neuter Fund established; distributions to counties.**

(a) The Spay/Neuter Fund is established in the Animal Welfare Section of the Department of Agriculture. The Secretary of Agriculture shall make rules consistent with this section for the distribution at least annually of all monies in the Fund to eligible counties.

(b) Counties eligible to receive distributions from the Spay/Neuter Fund are those for which the Secretary has approved a plan filed under or consistent with the provisions of G.S. 153A-153 for expenditure of funds to reduce the cost of spaying and neutering procedures. Counties with approved plans shall receive distributions from the Fund based on relative population, except that a county's distributive share shall be increased by five percent (5%) for each full 10,000 in population below 100,000.

1 (c) If a county is not eligible under subsection (b) of this section, distribution of  
2 monies in the Spay/Neuter Fund may be made to a city in that county, based on relative  
3 population of the city, provided that the city has approval by the Secretary of a plan  
4 consistent with G.S. 153A-153 to reduce the cost of spaying and neutering procedures.

5 (d) A county or city receiving distributions from the Spay/Neuter Fund may spend  
6 monies distributed solely to implement approved plans to lower the cost of spaying and  
7 neutering procedures.

8 **"§ 106-363.6. Funds from sale of vaccination tags.**

9 Vaccination tags issued pursuant to G.S. 130A-190 shall be sold to licensed  
10 veterinarians, public health departments, and clinics employing licensed veterinarians  
11 solely by the Secretary of Agriculture. The sales price shall be the actual cost of a tag,  
12 link, and rivet, including shipping costs, plus the sum of one dollar (\$1.00) per tag. The  
13 one dollar (\$1.00) collected for each tag sold shall be deposited into the Spay/Neuter  
14 Fund established in G.S. 106-363.5."

15 Section 2. G.S. 19A-38 reads as rewritten:

16 **"§ 19A-38. Use of license fees.**

17 All license fees collected shall be used in enforcing and administering this Article,  
18 deposited in the Spay/Neuter Fund established in G.S. 106-363.5."

19 Section 3. G.S. 130A-190 reads as rewritten:

20 **"§ 130A-190. Rabies vaccination tags.**

21 A licensed veterinarian or a certified rabies vaccinator who administers rabies vaccine  
22 to a dog or cat shall issue a rabies vaccination tag to the owner of the ~~animal~~-animal, and  
23 may charge a fee for doing so. The rabies vaccination tag shall show the year issued, a  
24 vaccination number, the words 'North Carolina' or the initials 'N.C.' and the words 'rabies  
25 vaccine.' Dogs and cats shall wear rabies vaccination tags at all times. However, cats may  
26 be exempted from wearing the tags by local ordinance. Rabies vaccination tags, links and  
27 rivets may be ~~obtained from the Department~~-purchased for issuance solely from the  
28 Secretary of Agriculture under G.S. 106-363.6. The Secretary is authorized to establish  
29 by rule a fee for the rabies tags, links and rivets. The fee shall not exceed the actual cost  
30 of the rabies tags, links and rivets, plus transportation costs."

31 Section 4. G.S. 160A-212 reads as rewritten:

32 **"§ 160A-212. Animal taxes.**

33 ~~A~~-Subject to the requirements imposed upon counties by G.S. 153A-153, a city shall  
34 have power to levy an annual license tax on the privilege of keeping any domestic  
35 animal, including dogs and cats, within the city. This section shall not limit the city's  
36 authority to enact ordinances under G.S. 160A-186."

37 Section 5. G.S. 153A-153 reads as rewritten:

38 **"§ 153A-153. Animal tax.**

39 (a) A county may levy an annual license tax on the privilege of keeping dogs and  
40 other pets within the county. On and after January 1, 1998, any such tax on the privilege  
41 of keeping a dog age six months or older that has not been spayed or neutered shall be at  
42 least four times the annual tax for a dog that has been spayed or neutered, as certified by  
43 a veterinarian. In adjusting the tax ratio, a county that is taxing for the privilege of

1 keeping a dog may, in its discretion, set new taxes at levels expected to retain, lower, or  
2 increase total revenues from dog taxes.

3 (b) At least one-third of the revenues from the annual license tax on the privilege  
4 of keeping dogs authorized in subsection (a) of this section shall be expended to reduce  
5 the costs of spaying and neutering procedures for pet owners in the county under a plan to  
6 be approved by the Director of the Animal Welfare Section of the Department of  
7 Agriculture. The plan shall operate year-round and, at the discretion of the county, may  
8 apply to cats as well as dogs. Options under such a plan may include:

9 (1) A county-operated spay/neuter clinic;

10 (2) A spay/neuter clinic operated by a private organization under contract or  
11 other arrangement with the county;

12 (3) A contract or contracts with one or more veterinarian, whether or not  
13 located within the county, to provide reduced-cost spaying and  
14 neutering procedures;

15 (4) Subvention of the spaying and neutering costs incurred by low-income  
16 pet owners through the use of vouchers or other procedure;

17 (5) Subvention of the costs of spaying and neutering costs incurred by  
18 persons who adopt a pet from an animal shelter operated by or under  
19 contract with any city or county.

20 (c) Any portion of the one-third of dog tax revenues that are not expended to  
21 implement an approved plan under subsection (b) of this section shall be deposited by the  
22 county in the Spay/Neuter Fund of the Department of Agriculture established in G.S.  
23 106-363.5.

24 (d) An owner of five or more dogs may register annually with the Animal Welfare  
25 Section of the Department of Agriculture on forms to be provided by the Section as a  
26 'registered dog breeder' upon payment of an annual fee of twenty-five dollars (\$25.00).  
27 These fees shall be deposited in the Spay/Neuter Fund established in G.S. 106-363.5.  
28 Any dog tax owed by a registered dog breeder imposed pursuant to subsection (a) of this  
29 section during the 12 months following registration shall be calculated as if the dogs  
30 owned by that person were spayed or neutered."

31 Section 6. This act becomes effective January 1, 1998.