

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

H

2

HOUSE BILL 816
Committee Substitute Favorable 5/31/11

Short Title: Spay/Neuter Advisory Board/Fund.

(Public)

Sponsors:

Referred to:

April 7, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH THE SPAY/NEUTER ADVISORY BOARD AND THE
3 SPAY/NEUTER DONATION AND MEMORIAL FUND.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Chapter 19A of the General Statutes is amended by adding a new
6 Article to read:

7 "Article 4A.

8 "Spay/Neuter Advisory Board and Spay/Neuter Donation and Memorial Fund.

9 "**§ 19A-59. Spay/Neuter Advisory Board.**

10 (a) There is established the Spay/Neuter Advisory Board of the Department of
11 Agriculture and Consumer Services. The duties of the Spay/Neuter Advisory Board are to
12 promote spay/neuter initiatives and to oversee the expenditure of funds in the Spay/Neuter
13 Donation and Memorial Fund established in G.S. 19A-59.1.

14 (b) The Spay/Neuter Advisory Board shall consist of eight members as follows:

15 (1) One person with experience in advocating spay/neuter, to be appointed by
16 the General Assembly upon the recommendation of the President Pro
17 Tempore of the Senate.

18 (2) One person with experience in advocating spay/neuter, to be appointed by
19 the General Assembly upon the recommendation of the Speaker of the
20 House of Representatives.

21 (3) Two veterinarians, one to be appointed by the North Carolina Veterinary
22 Board and one to be appointed by the faculty of the North Carolina School
23 of Veterinary Medicine.

24 (4) Two managers of animal shelters or their designees, one to be appointed by
25 the North Carolina Association of County Commissioners and one to be
26 appointed by the North Carolina League of Municipalities.

27 (5) The President of the North Carolina Federation of Dog Clubs, or the
28 President's designee.

29 (6) The Director of the Animal Welfare Section, Animal Health Division,
30 Department of Agriculture and Consumer Services, or the Director's
31 designee.

32 (c) In order for the terms of members to be staggered, one initial member appointed by
33 the General Assembly upon the recommendation of the President Pro Tempore of the Senate,
34 one initial member appointed by the General Assembly upon the recommendation of the
35 Speaker of the House of Representatives, the initial veterinarian appointed by the North
36 Carolina Veterinary Board, and the initial animal shelter manager appointed by the North
37 Carolina Association of County Commissioners shall serve two-year terms. The remainder of



1 the initial appointees shall serve for four-year terms. Subsequent terms shall be for four years.
2 Initial terms shall begin July 1, 2011.

3 (d) All current members shall continue to serve until the expiration of their terms unless
4 a member is removed or the position becomes vacant, in which case the vacancy shall be filled
5 in accordance with subsection (e) of this section.

6 (e) The appointing authorities provided for in subsection (a) of this section may remove
7 any member for good cause shown and shall fill any vacancies on the Board. Members
8 appointed to fill vacancies shall serve the remainder of the unexpired term and until their
9 successors have been appointed and qualified.

10 (f) Members of the Board shall serve as volunteers and shall not receive reimbursement
11 for expenses.

12 **"§ 19A-59.1. Spay/Neuter Donation and Memorial Fund.**

13 (a) The Spay/Neuter Donation and Memorial Fund is established as a nonreverting,
14 interest-bearing special account in the Department of Agriculture and Consumer Services. The
15 Fund shall consist of donations, memorials, and other private contributions made to the Fund
16 for the purpose of spaying and neutering dogs and cats in order to reduce the population of
17 unwanted animals in the State. The Fund shall be separate from the Spay/Neuter Account
18 established in G.S. 19A-62. Monies in the Fund shall be used only to reimburse eligible
19 counties, cities, and nonprofit organizations for the direct costs of spay/neuter surgeries for
20 dogs and cats, including feral cats; provided that up to two percent (2%) of the fund annually
21 may be used to defray the administrative costs for the Fund.

22 (b) A county, city, or nonprofit organization is eligible for reimbursement from the
23 Spay/Neuter Donation and Memorial Fund if the Spay/Neuter Advisory Board established in
24 G.S. 19A-59 determines that the county, city, or nonprofit organization offers one or more of
25 the following programs to low-income persons on a year-round basis for the purpose of
26 reducing the cost of spaying and neutering procedures for dogs and cats. For purposes of this
27 section, the term "low-income person" shall mean an individual whose income is less than three
28 hundred percent (300%) of the federal poverty guidelines. Programs offered also shall provide
29 reduced-cost spaying and neutering procedures for feral cats, regardless of the income status of
30 the person presenting the feral cat for spaying or neutering.

31 (1) A spay/neuter clinic operated by the county, city, or nonprofit organization.

32 (2) A spay/neuter clinic operated by a private organization under contract or
33 other arrangement with the county, city, or nonprofit organization.

34 (3) A contract or contracts with one or more veterinarians, whether or not
35 located within the county, to provide reduced-cost spaying and neutering
36 procedures.

37 (4) Subvention of the spaying and neutering costs incurred by pet owners
38 through the use of vouchers or other procedure that provides a discount of
39 the cost of the spaying or neutering procedure fixed by a participating
40 veterinarian or other provider.

41 (5) Subvention of the spaying and neutering costs incurred by persons who
42 adopt a pet from an animal shelter operated by or under contract with the
43 county, city, or nonprofit organization.

44 (c) In February of each year, the Department shall report to the Joint Legislative
45 Commission on Governmental Operations and the Fiscal Research Division on all contributions
46 made to the Fund and all reimbursements made by the Fund as provided in this section."

47 **SECTION 2.** This act becomes effective July 1, 2011.