

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1079

Short Title: Reduce Animal Control Costs.

(Public)

Sponsors: Representatives Stamey, Colton; Bowie, Crawford, Easterling, Hall, Luebke, and McLawhorn.

Referred to: Finance.

April 19, 1993

A BILL TO BE ENTITLED

AN ACT TO REDUCE THE COSTS OF ANIMAL CONTROL BY REQUIRING CITIES AND COUNTIES TO CHARGE A LOWER ANIMAL TAX ON DOGS THAT HAVE BEEN SPAYED OR NEUTERED, BY PROVIDING FOR LOCAL CLINICS FOR THE SPAYING AND NEUTERING OF ANIMALS, AND BY ESTABLISHING A PET FUND WITHIN THE ANIMAL WELFARE SECTION OF THE DEPARTMENT OF AGRICULTURE TO PROVIDE ASSISTANCE TO THOSE CLINICS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 153A-153 reads as rewritten:

"§ 153A-153. Animal tax.

(a) A county may levy an annual license tax on the privilege of keeping dogs and other pets within the county. However, on and after January 1, 1995, any annual license tax on the privilege of keeping a dog that has not been spayed or neutered shall be at least four times the annual license tax on the privilege of keeping a dog that has been spayed or neutered.

(b) At least one-third of the proceeds from the annual license tax on the privilege of keeping a dog, as authorized in subsection (a) of this section, shall be expended in one or more of the following ways:

- (1) Operation of a spaying and neutering clinic open to residents of the county in which the license tax is collected;
- (2) Operation of a voucher program through which the animal control office of the county issues vouchers entitling recipients to reduced

- 1 rates for the spaying or neutering of animals by licensed veterinarians
2 participating in such a program; or
3 (3) Transmittal of the funds to the Animal Welfare Section of the
4 Department of Agriculture for deposit in the Pet Fund administered by
5 the Section.

6 Veterinarians volunteering to participate in a voucher system established pursuant to
7 subdivision (b)(2) of this section shall receive no more than eighty percent (80%) of the
8 average fee charged by veterinarians in that county for spaying and neutering, as
9 determined by the Animal Welfare Section for each spaying or neutering performed."

10 Sec. 2. G.S. 160A-212 reads as rewritten:

11 **"§ 160A-212. Animal taxes.**

12 (a) A city shall have power to levy an annual license tax on the privilege of
13 keeping any domestic animal, including dogs and cats, within the city. However, on and
14 after January 1, 1995, any annual license tax on the privilege of keeping a dog that has
15 not been spayed or neutered shall be at least four times the annual license tax on the
16 privilege of keeping a dog that has been spayed or neutered. This section shall not limit
17 the city's authority to enact ordinances under G.S. 160A-186.

18 (b) At least one-third of the proceeds from the annual license tax on the privilege
19 of keeping a dog, as authorized in subsection (a) of this section, shall be expended in
20 one or more of the following ways:

- 21 (1) Operation of a spaying and neutering clinic open to residents of the
22 city in which the license tax is collected or to residents of any county
23 in which that city is located;
24 (2) Operation of a voucher program through which the animal control
25 office of the city issues vouchers entitling recipients to reduced rates
26 for the spaying or neutering of animals by licensed veterinarians
27 participating in such a program; or
28 (3) Transmittal of the funds to the Animal Welfare Section of the
29 Department of Agriculture for deposit in the Pet Fund administered by
30 the Section.

31 Veterinarians volunteering to participate in a voucher system established pursuant to
32 subdivision (b)(2) of this section shall receive no more than eighty percent (80%) of the
33 average fee charged by veterinarians in the county in which the license tax is collected
34 is located for spaying and neutering, as determined by the Animal Welfare Section for
35 each spaying or neutering performed."

36 Sec. 3. G.S. 19A-22 reads as rewritten:

37 **"§ 19A-22. Animal Welfare Section in Animal Health Division of Department of**
38 **Agriculture created; ~~Director.~~ Director; Pet Fund established.**

39 (a) There is hereby created within the Animal Health Division of the North
40 Carolina Department of Agriculture, a new section thereof, to be known as the Animal
41 Welfare Section of said division.

42 The Commissioner of Agriculture is hereby authorized to appoint a Director of said
43 section whose duties and authority shall be determined by the Commissioner subject to
44 the approval of the Board of Agriculture and subject to the provisions of this Article.

1 (b) There is established within the Department of Agriculture, Animal Health
2 Division, Animal Welfare Section, a Pet Fund to provide assistance to cities and
3 counties in maintaining spaying and neutering clinics. Monies from the Pet Fund shall
4 be distributed to cities and counties to fund the spaying and neutering clinics established
5 pursuant to G.S. 153A-153(b) and G.S. 160A-212(b) based upon need as demonstrated
6 to the pet officer appointed in subsection (c) of this section.

7 (c) The Animal Welfare Section may appoint a pet officer whose responsibilities
8 shall include distribution of funds to city and county spaying and neutering clinics
9 established pursuant to G.S. 153A-153(b) and G.S. 160A-212(b), the design and
10 issuance of spaying and neutering vouchers for use by those clinics, maintenance of
11 records for the clinics, and the provision of advisory assistance to the clinics. The pet
12 officer shall provide an annual report to the General Assembly on the activities of the
13 local spaying and neutering clinics."

14 Sec. 4. G.S. 130A-188 reads as rewritten:

15 **"§ 130A-188. Fee for vaccination at county rabies vaccination clinics.**

16 The county board of commissioners is authorized to establish a fee to be charged at
17 the county rabies vaccination clinics. The fee shall include an administrative charge not
18 to exceed four dollars ~~(\$4.00)~~ and forty cents ~~(\$4.40)~~ per vaccination, and a charge for
19 the actual cost of the vaccine, the vaccination certificate, and the rabies vaccination tag.
20 Forty cents (40¢) from each administrative charge shall be transmitted to the Pet Fund
21 administered by the Animal Welfare Section of the Department of Agriculture."

22 Sec. 5. This act becomes effective January 1, 1994.