

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 819*

Short Title: Spay/Neuter Program.

(Public)

Sponsors: Representatives Hensley; Morris, Mosley, and Luebke.

Referred to: Agriculture.

April 1, 1999

A BILL TO BE ENTITLED

1 AN ACT TO CREATE A STATE SPAY/NEUTER FUND, TO IMPOSE A FEE OF
2 FIFTY CENTS ON RABIES VACCINATIONS TO RAISE MONEY FOR THE
3 SPAY/NEUTER FUND, TO ESTABLISH A STATEWIDE EDUCATIONAL
4 PROGRAM ON THE BENEFITS OF SPAYING AND NEUTERING PETS, AND
5 TO PROVIDE AN INCENTIVE TO COUNTIES AND CITIES TO LEVY A
6 DIFFERENTIAL TAX ON DOGS AND CATS THAT ARE NOT SPAYED OR
7 NEUTERED.
8

9 The General Assembly of North Carolina enacts:

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

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

13 **"§ 106-363.5. Spay/Neuter Fund established; education program; distributions to**
14 **counties.**

15 (a) Spay/Neuter Fund. – The Spay/Neuter Fund is established in the Animal
16 Welfare Section of the Animal Health Division of the Department of Agriculture and
17 Consumer Services as a nonreverting special revenue account consisting of funds
18 credited to the Fund under G.S. 130A-190 or any other provision of law. The money in
19 the Fund shall be used for the following purposes:

1 (1) Up to twenty percent (20%) of the money in the Fund may be used by
2 the Department to educate the public on the benefits of having pets
3 spayed and neutered.

4 (2) The remainder of the money in the Fund shall be distributed at the end
5 of each fiscal year to units of local government eligible to receive a
6 distribution from the Fund under the provisions of subsection (c) of this
7 section.

8 (b) Statewide Education Program. – The Department of Agriculture and Consumer
9 Services shall establish a statewide education program to educate the public on the
10 benefits of having dogs and cats spayed and neutered. The Department may use up to
11 twenty percent (20%) of the money in the Fund to defray the costs of providing staff to
12 the program and may employ outside consultants to assist with the program. The
13 Department may work cooperatively on the program with the North Carolina School of
14 Veterinary Medicine at Raleigh, with other departments of State government, with
15 municipal health and animal control departments, and with statewide and local humane
16 organizations.

17 (c) Spay/Neuter Programs. – To receive a distribution of money from the
18 Spay/Neuter Fund, a unit of local government must apply to the Department of
19 Agriculture and Consumer Services by April 1 of each year. To be eligible for a
20 distribution from the Fund, the applicant must levy an animal tax on dogs and cats under
21 either G.S. 153A-153 or G.S. 160A-212 and the amount of the tax levied on a dog or cat
22 that has not been spayed or neutered must be at least three times higher than the amount
23 of the tax levied on a dog or cat that has been spayed or neutered. The applicant must
24 also offer one or more of the following programs on a year-round basis for the purpose of
25 reducing the cost of spaying and neutering procedures for dogs and cats:

26 (1) A spay/neuter clinic operated by the applicant.

27 (2) A spay/neuter clinic operated by a private organization under contract or
28 other arrangement with the applicant.

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

32 (4) Subvention of the spaying and neutering costs incurred by low-income
33 pet owners through the use of vouchers or other procedure that provides
34 a discount of the cost of the spay or neuter procedure fixed by a
35 participating veterinarian or other provider.

36 (5) Subvention of the costs of spaying and neutering costs incurred by
37 persons who adopt a pet from an animal shelter operated by or under
38 contract with the applicant.

39 The Department shall distribute the money in the Fund to the eligible applicants in
40 proportion to the number of dogs and cats that have received a rabies vaccination during
41 the preceding fiscal year in that unit of local government as compared to the number of
42 dogs and cats that have received a rabies vaccination during the preceding fiscal year by
43 all of the eligible applicants. A unit of local government receiving a distribution from the

1 Spay/Neuter Fund may spend the money only on programs that lower the cost of spaying
2 and neutering dogs and cats.

3 (d) Definition. – For the purposes of this section, the term "unit of local
4 government" means a city as defined in G.S. 160A-1 or a county as defined in G.S. 153A-
5 1.

6 **"§ 106-363.6. Fee on rabies vaccination.**

7 (a) Fee. – A fee of fifty cents (50¢) is payable by the owner of a dog or cat
8 when the dog or cat receives a rabies vaccination. The fee is payable to the licensed
9 veterinarian or certified rabies vaccinator that administers the rabies vaccination. The
10 licensed veterinarian or certified rabies vaccinator must submit the fees collected under
11 this subsection to the Animal Welfare Section of the Department of Agriculture and
12 Consumer Services within 30 days after the end of each calendar quarter. The
13 Department shall credit these payments to the Spay/Neuter Fund established in G.S. 106-
14 363.5.

15 (b) Exception. – The fee in subsection (a) of this section does not apply to rabies
16 vaccinations administered at a countywide rabies vaccination clinic where the fee
17 charged for the rabies vaccination is set by the county board of commissioners under G.S.
18 130A-188.

19 **"§ 106-363.7. Report by Veterinary Public Health Director.**

20 The Veterinary Public Health Director in the Department of Health and Human
21 Services shall report to the Director of the Animal Welfare Section of the Department of
22 Agriculture and Consumer Services on the number of rabies vaccination tags sold to
23 licensed veterinarians and certified rabies vaccinators."

24 Section 2. This act becomes effective January 1, 1999, and applies to rabies
25 vaccinations administered on or after that date.