

May 19, 2010

S 1332. SPAY/NEUTER PROGRAM FUNDING. Filed 5/19/10. *TO PROVIDE SPACE ON THE STATE INCOME TAX RETURN FOR INDIVIDUALS TO MAKE DONATIONS FOR SPAYING AND NEUTERING OF DOGS AND CATS IN ORDER TO HELP REDUCE THE POPULATION OF UNWANTED ANIMALS IN THE STATE .*

Enacts new GS 105-269.7 to allow a taxpayer to elect to contribute all or part of a tax refund to be used for the spaying and neutering of dogs and cats through the Spay/Neuter Account established in the Department of Agriculture and Consumer Services. Provides that the election becomes irrevocable upon filing the individual's income tax return for the taxable year. States that funds generated by this act are not intended to replace current appropriations for the spaying and neutering of dogs and cats. Effective for taxable years beginning on or after January 1, 2010.

Intro. by McKissick.

GS 105

June 16, 2010

S 1332. SPAY/NEUTER PROGRAM TRANSFER (NEW). Filed 5/19/10. Senate committee substitute deletes the provisions of the 1st edition and replaces it with *AN ACT TO TRANSFER ADMINISTRATION OF THE VOLUNTARY SPAY/NEUTER PROGRAM TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND TO AMEND THE FUNDING FOR THE SPAY/NEUTER ACCOUNT.*

Transfers the Spay/Neuter Program and the Spay/Neuter Account (Account) from the Department of Health and Human Services (DHHS) to the Department of Agriculture and Consumer Services (DACS). Transfers any unexpended funds appropriated to DHHS for 2009-10 to implement the Spay/Neuter program to DACS. Amends GS 19A-61 to clarify that the Spay/Neuter Program is voluntary. Makes a conforming change.

Amends GS 19A-62 by (1) eliminating the requirement that a portion of the fee imposed for obtaining a rabies vaccination tag from DHHS, pursuant GS 130A-190(b)(4), be transferred to fund the Account, (2) increasing to \$20 (was, \$10) the portion of the Animal Lovers license plate fee included in the Spay/Neuter Account (Account), and (3) allowing up to 20% of the revenue in the Account to be used to develop and implement the statewide education component of the Spay/Neuter Program. Makes technical and conforming changes. Also makes conforming changes to GS 130A-190(b).

Amends GS 19A-63 (eligibility for distributions from the Account) to expand the definition of *low-income person* to also mean an individual whose annual household income is under 300% of the federal poverty level guidelines published by the US Department of Health and Human Services. Provides that each county must make rules or publish guidelines that designate what proof is required to be submitted to establish low-income eligibility and qualify for public assistance under the statute. Makes a conforming change.

Amends GS 19A-64 by deleting the requirement that the distribution of payments to eligible counties or cities in tier one, tier two, and tier three areas from the Account be in proportion to the number of cats and dogs receiving rabies vaccinations as compared to all eligible applicants in those specified areas and, instead, states that the distribution is pursuant to rules adopted by DACS. Makes conforming changes.

Amends GS 19A-65 to change the filing date for the annual report required from every animal shelter in receipt of state or local funding from August 1 to March 1 of each year. Makes a conforming change requiring that the report be filed with DACS. Prohibits a city or county that does not file a timely report from being eligible to receive reimbursement payments under GS 19A-64 in that calendar year.

Enacts new GS 19A-66, requiring that DACS, prior to January 1 of each year, notify counties and cities that have, prior to the notification deadline, established eligibility for distribution of funds from the Account regarding the amount of funding available, as well as any estimated additional funding that may be available to pay reimbursement requests during the calendar year following the notification deadline.

Amends GS 130A-190(b), authorizing the Secretary of DHHS to collect (was, establish by rule) a fee for rabies tags, links, and rivets. Increases the fee to \$0.15 (was, \$.05) that will fund rabies education and prevention programs.

Adds new section, amending GS 20-79.7(a) to increase the Animal Lovers special registration plate additional fee to \$30 (was, \$20). Amends GS 20-97.7(b) to credit \$20 (was, \$10) from the plate fee to the Collegiate and Cultural Attraction Plate Account.

Adds new section, authorizing DACS to study the State's role in reducing the number of unwanted dogs and cats, and in ensuring the humane treatment of those animals. Lists components related to the study. Directs the Department to conduct this study with funds available for the 2010-11 fiscal year, allows the Department to make interim reports as necessary, and requires a report to specified legislative entities on or before May 1, 2011.

Effective October 1, 2010.