

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

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HOUSE BILL 816

Short Title: Animal Welfare Advisory Board/Fund. (Public)

Sponsors: Representative McElraft (Primary Sponsor).  
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Agriculture.

April 7, 2011

1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH THE ANIMAL WELFARE 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 "Animal Welfare Advisory Board and Spay/Neuter Donation and Memorial Fund.

9 "**§ 19A-59. Animal Welfare Advisory Board.**

10 (a) There is established the Animal Welfare Advisory Board of the Department of  
11 Agriculture and Consumer Services. The duties of the Animal Welfare Advisory Board are to  
12 promote animal welfare initiatives and to oversee the expenditure of funds in the Spay/Neuter  
13 Donation and Memorial Fund established in G.S. 19A-59.1. As part of its duty to promote  
14 animal welfare initiatives, the Board shall establish and operate an animal shelter mentoring  
15 program through which animal shelters that are operating successfully provide guidance to  
16 those shelters that are experiencing performance issues.

17 (b) The Animal Welfare Advisory Board shall consist of nine members as follows:

18 (1) Two persons with experience in advocating animal welfare, to be appointed  
19 by the General Assembly upon the recommendation of the President Pro  
20 Tempore of the Senate;

21 (2) Two persons with experience in advocating animal welfare, to be appointed  
22 by the General Assembly upon the recommendation of the Speaker of the  
23 House of Representatives;

24 (3) Two veterinarians, one to be appointed by the North Carolina Veterinary  
25 Board and one to be appointed by the faculty of the North Carolina School  
26 of Veterinary Medicine;

27 (4) Two managers of animal shelters or their designees, one to be appointed by  
28 the North Carolina Association of County Commissioners and one to be  
29 appointed by the North Carolina League of Municipalities; and

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

33 (c) In order for the terms of members to be staggered, one initial member appointed by  
34 the General Assembly upon the recommendation of the President Pro Tempore of the Senate,  
35 one initial member appointed by General Assembly upon the recommendation of the Speaker



1 of the House of Representatives, the initial veterinarian appointed by the North Carolina  
2 Veterinary Board, and the initial animal shelter manager appointed by the North Carolina  
3 Association of County Commissioners shall serve two-year terms. The remainder of the initial  
4 appointees shall serve for four-year terms. Subsequent terms shall be for four years. Initial  
5 terms shall begin July 1, 2011.

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

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

13 (f) Members of the Board shall serve as volunteers and shall not receive reimbursement  
14 for expenses."

15 **"§ 19A-59.1. Spay/Neuter Donation and Memorial Fund.**

16 (a) There is established the Spay/Neuter Donation and Memorial Fund in the  
17 Department of Agriculture and Consumer Services. The Fund consists of donations, memorials,  
18 and other private contributions made to the Fund for the purpose of spaying and neutering dogs  
19 and cats in order to reduce the population of unwanted animals in the State. The Fund shall be  
20 separate from the Spay/Neuter Account established in G.S. 19A-62, and monies in the Fund  
21 shall be used only to reimburse eligible counties, cities, and nonprofit organizations for the  
22 direct costs of spay/neuter surgeries for dogs and cats, including feral cats. No monies in the  
23 Fund shall be used for any other purpose, including administration of the Fund.

24 (b) A county, city, or nonprofit organization is eligible for reimbursement from the  
25 Spay/Neuter Donation and Memorial Fund if the Animal Welfare Advisory Board established  
26 in G.S. 19A-59 determines that the county, city, or nonprofit organization offers one or more of  
27 the following programs on a year-round basis for the purpose of reducing the cost of spaying  
28 and neutering procedures for dogs and cats, including feral cats:

- 29 (1) A spay/neuter clinic operated by the county, city, or nonprofit organization.
- 30 (2) A spay/neuter clinic operated by a private organization under contract or  
31 other arrangement with the county, city, or nonprofit organization.
- 32 (3) A contract or contracts with one or more veterinarians, whether or not  
33 located within the county, to provide reduced-cost spaying and neutering  
34 procedures.
- 35 (4) Subvention of the spaying and neutering costs incurred by pet owners  
36 through the use of vouchers or other procedure that provides a discount of  
37 the cost of the spaying or neutering procedure fixed by a participating  
38 veterinarian or other provider.
- 39 (5) Subvention of the spaying and neutering costs incurred by persons who  
40 adopt a pet from an animal shelter operated by or under contract with the  
41 county, city, or nonprofit organization.

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

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