

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

**SESSION LAW 2007-487
SENATE BILL 684**

AN ACT TO PROVIDE FOR FUNDING FOR THE STATEWIDE SPAY AND NEUTER PROGRAM FROM THE SALE OF RABIES VACCINATION TAGS AND TO REQUIRE REPORTING ON THE PROGRAM.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 130A-190 reads as rewritten:

"§ 130A-190. Rabies vaccination tags.

(a) Issuance. – A licensed veterinarian or a certified rabies vaccinator who administers rabies vaccine to a dog or cat shall issue a rabies vaccination tag to the owner of the animal. The rabies vaccination tag shall show the year issued, a vaccination number, the words "North Carolina" or the initials "N.C." and the words "rabies vaccine." Dogs and cats shall wear rabies vaccination tags at all times. However, cats may be exempted from wearing the tags by local ordinance.

(b) Fee. – Rabies vaccination tags, ~~links and links,~~ and rivets may be obtained from the Department. The Secretary is authorized to establish by rule a fee for the rabies tags, ~~links and rivets.~~ links, and rivets in accordance with this subsection. Except as otherwise authorized in this section, the fee shall not exceed the actual cost of the rabies tags, links and rivets, plus transportation costs. The Secretary may increase the fee beyond the actual cost plus transportation, by an amount not to exceed five cents (\$.05) per tag, to fund rabies education and prevention programs. The fee for each tag is the sum of the following:

- (1) The actual cost of the rabies tag, links, and rivets.
- (2) Transportation costs.
- (3) Five cents (5¢). This portion of the fee shall be used to fund rabies education and prevention programs.
- (4) Twenty cents (20¢). This portion of the fee shall be credited to the Spay/Neuter Account established in G.S. 19A-62 and used to fund statewide spay/neuter programs. This portion of the fee shall not be imposed for tags provided to persons who operate establishments primarily for the purpose of boarding or training hunting dogs or who own and vaccinate 10 or more dogs per year.

(c) ~~The Department shall make available a special edition rabies tag to be known as the "I-Care" tag. This tag shall be different in shape from the standard tag and shall carry the inscription "I-Care" in addition to the information required by subsection (a) of this section. The Secretary is authorized to establish a fee for the "I-Care" rabies tag equal to the amount set forth in subsection (b) of this section plus an additional fifty cents (\$.50). The additional fifty cents (\$.50) shall be credited to the Spay/Neuter Account established in G.S. 19A-62."~~

SECTION 2. G.S. 19A-62 reads as rewritten:

"§ 19A-62. Spay/Neuter Account established.

(a) Creation. – The Spay/Neuter Account is established as a nonreverting special revenue account in the Department of Health and Human Services. The Account consists of the following:

- (1) Fifty cents (50¢) of the fee imposed by G.S. 130A-190(c) on the costs of obtaining rabies vaccination tags The portion of the fee imposed

under G.S. 130A-190(b)(4) for obtaining a rabies vaccination tag from the Department of Health and Human Services.

- (2) Ten dollars (\$10.00) of the additional fee imposed by G.S. 20-79.7 for an Animal Lovers special license plate.
- (3) Any other funds available from appropriations by the General Assembly or from contributions and grants from public or private sources.

(b) Use. – The revenue in the Account shall be used by the Department of Health and Human Services as follows:

- (1) If the revenue generated by the portion of the fee imposed under G.S. 130A-190(b)(3) is less than forty-seven thousand five hundred dollars (\$47,500) for the fiscal year, then funds up to the difference between forty-seven thousand five hundred dollars (\$47,500) and the amount of revenue generated may be used from this Account to fund rabies education and prevention programs.
- (2) Twenty percent (20%) shall be used to develop and implement the statewide education program component of the Spay/Neuter Program established in G.S. 19A-61(a).
- ~~(2)~~(3) Up to twenty percent (20%) of the money in the Account may be used to defray the costs of administering the Spay/Neuter Program established in this Article.
- ~~(3)~~(4) Funds remaining after deductions for the education program and administrative expenses shall be distributed quarterly to eligible counties and cities seeking reimbursement for reduced-cost spay/neuter surgeries performed during the previous year. A county or city is ineligible to receive funds under this subdivision unless it requires the owner to show proof of rabies vaccination at the time of the procedure or, if none, require vaccination at the time of the procedure."

SECTION 3. In February of each year, the Department must report to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division. The report must contain information regarding all revenues and expenditures of the Spay/Neuter Account.

SECTION 4. This act becomes effective January 1, 2008.

In the General Assembly read three times and ratified this the 2nd day of August, 2007.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 12:30 p.m. this 30th day of August, 2007