



HOUSE BILL 1009: Wake Cty Towns Donate Retired Service Animals.

2016-2017 General Assembly

Committee:	House Local Government	Date:	May 11, 2016
Introduced by:	Reps. Adcock, Dollar, Malone, Avila	Prepared by:	Erika Churchill
Analysis of:	First Edition		Committee Co-Counsel

SUMMARY: *House Bill 1009 would allow the Towns of Apex, Cary, Garner, Knightdale, Wake Forest and Zebulon to donate retired public service animals used by a Town agency to the officer or employee who had normal custody and control of the animal during its service to the Town.*

[As introduced, this bill was identical to S849, as introduced by Sens. Barringer, Chaudhuri, Foushee, which is currently in Senate State and Local Government.]

CURRENT LAW: Article 12 of Chapter 160A of the North Carolina General Statutes establishes the procedures city and county governments to generally dispose of real and personal property. Subject to certain limitations, a city may dispose of property belonging to the city only by:

- Private negotiation and sale;
- Advertisement for sealed bids;
- Negotiated offer, advertisement, and upset bid;
- Public auction; or
- Exchange.

Additionally, G.S. 20-187.2 authorizes law enforcement agencies to, in their discretion and upon request, award the service side arm of a retiring law enforcement officer, to that retiring member or the surviving relatives, at a price determined by such governing body if the governing body determines that the person receiving the weapon may own, possess, or receive a firearm under the provisions of State or federal law, or the weapon has been rendered incapable of being fired. Badges of law enforcement officers may also be given, upon request to a retiring officer or the surviving family of an officer killed in the line of duty under that statute.

BILL ANALYSIS: House Bill 1009 is a local act that authorizes the town councils of Apex, Cary, Garner, Knightdale, Wake Forest and Zebulon to donate an animal to the officer or employee who had normal custody and control of the animal during its service to the Town, if that animal has been deemed no longer fit for public service by the Town.

EFFECTIVE DATE: This act is effective when it becomes law.

BACKGROUND: S.L. 2015-174 granted similar authority to the City of Raleigh and the municipalities in Mecklenburg County.

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