



# HOUSE BILL 550: Raleigh Apodaca Service Dog Retirement Act.

2015-2016 General Assembly

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<b>Committee:</b>		<b>Date:</b>	August 3, 2016
<b>Introduced by:</b>		<b>Prepared by:</b>	Billy R. Godwin Staff Attorney
<b>Analysis of:</b>	S.L. 2016-101		

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**OVERVIEW:** *S.L. 2016-101 allows ownership of retired State and local government service animals to be transferred to the service animal's handler or other designated persons, organizations, or programs under certain stated conditions.*

*This act becomes effective October 1, 2016.*

**CURRENT LAW:** Article 12 of Chapter 160A of the North Carolina General Statutes establishes the procedures city and county governments generally follow to 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.

This provision is also made applicable to counties by G.S. 153A-76. 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:** S.L. 2016-101 provides that upon a determination that the service animal is no longer fit or needed for public service, the relevant State and local government entity may transfer ownership of that retired service animal at a price and upon such other terms and conditions it establishes to any of the following individuals provided the recipient agrees to accept ownership, care, and custody of the animal:

- The officer or employee who had normal custody and control of the service animal during the service animal's public service, commonly referred to as 'the handler.'
- Surviving spouse of a deceased handler killed in the line of duty.

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- Surviving children of a deceased handler killed in the line of duty without a surviving spouse.
- An organization or program dedicated to retired service animals.

Service animals are defined to mean any horse, dog, or other animal that performs law enforcement, public safety, or emergency service functions.

**EFFECTIVE DATE:** October 1, 2016.