



SENATE BILL 849: Wake Cty Towns Donate Retired Service Animals.

2016-2017 General Assembly

Committee:		Date:	June 23, 2016
Introduced by:	Sens. Barringer, Chaudhuri, Foushee	Prepared by:	Billy R. Godwin
Analysis of:	Third Edition		Legislative Analyst

SUMMARY: *Senate Bill 849 would allow the Towns of Apex, Cary, Garner, Knightdale, Wake Forest and Zebulon to transfer retired public service animals used by the local government to the officer or employee who had normal custody and control of the animal during its public service.*

[As introduced, this bill was identical to H1009, as introduced by Reps. Adcock, Dollar, Malone, Avila, 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 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.

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: The bill would authorize the towns of Apex, Cary, Garner, Knightdale, Wake Forest and Zebulon to transfer a retired service animal, at a price determined by the governing body and upon any other terms and conditions as the governing body deems appropriate, to any of the following:

- The handler.
- A surviving spouse of the handler, or child if there is no surviving spouse.
- An organization or program dedicated to retired service animals.

The individual to whom ownership of the animal is transferred must agree to accept ownership, care, and custody of the animal.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

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Additionally, the bill provides that should House Bill 550, 2016 Regular Session, become law, this act is repealed. House Bill 550 addresses the disposition of service animals on a Statewide level. A Senate committee substitute for House Bill 550 passed its 3rd Reading on June 22, 2016.

EFFECTIVE DATE: The bill is effective when it becomes law.