



This Bill Analysis reflects the contents of the bill as it was presented in committee.

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

2016-2017 General Assembly

Committee:	Senate State and Local Government	Date:	June 1, 2016
Introduced by:	Sens. Barringer, Chaudhuri, Foushee	Prepared by:	Erika Churchill
Analysis of:	PCS to First Edition S849-CSST-110		Committee Co-Counsel

SUMMARY: *The proposed committee substitute for 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 House 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 PCS 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.

Karen Cochrane-Brown
Director



S 8 4 9 - S M S T - 1 9 0 C S S T - 1 1 0 - V - 3

Legislative Analysis
Division
919-733-2578

Senate PCS 849

Page 2

- 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.

EFFECTIVE DATE: Effective when it becomes law.

BACKGROUND: House Bill 952, Honor Our Service Animals/Sheriffs Contracts, grants the same authority for service animals to Cleveland and Gaston Counties, and all of the municipalities that lie, wholly or in part, in those counties. That bill passed the House on 5/18/2016, and is currently in Senate State and Local Government.

Senate Bill 831, Duplin/Sampson/Detention Contracts/Animals, grants the same authority for service animals to Duplin and Sampson Counties, and all of the municipalities that lie, wholly or in part, in those counties. That bill passed the Senate on 5/25/16, and is currently in House Local Government.