



# HOUSE BILL 239: Pitt County Animal Control Records.

2019-2020 General Assembly

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<b>Committee:</b> Senate Rules and Operations of the Senate	<b>Date:</b> June 25, 2019
<b>Introduced by:</b> Reps. K. Smith, Humphrey	<b>Prepared by:</b> Bill Patterson
<b>Analysis of:</b> Second Edition	Staff Attorney

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**OVERVIEW:** *House Bill 239 would declare personal identifying information held by the Pitt County animal services agency not to be public records, but allow the county to disclose that information at its discretion.*

**CURRENT LAW:** Chapter 132 of the General Statutes governs public records and makes all documents of a public entity that are not specifically excluded a public record.

Public records are "all documents, papers, letters, maps, books, photographs, films, sound recordings, magnetic or other tapes, electronic data processing records, artifacts, or other documentary material, regardless of physical form or characteristics, made or received pursuant to law or ordinance in connection with the transaction of public business by any agency of North Carolina government or its subdivisions."

Every custodian of public records is required to allow the public record in their custody to be inspected and examined at reasonable times and under reasonable supervision, as well as furnish copies thereof upon payment of fees. No person requesting to inspect, examine, or copy public records may be required to disclose the purpose or motive of the request.

**BILL ANALYSIS:** House Bill exempts from public records any personal identifying information held by the Pitt County animal services agency related to any of the following individuals:

- An individual who voluntarily surrendered ownership of an animal to an animal shelter.
- An individual who adopted a shelter animal.
- An individual to whom a shelter animal has been placed through a foster program.

Pitt County could, in its' discretion, disclose the aforementioned personal identifying information related to the county animal services agency that is not a public record. The identity of any animal rescue organization with whom the county places an animal would remain a public record.

**EFFECTIVE DATE:** The act is effective when the bill becomes law.

**BACKGROUND:** Part I of S.L. 2018-105 contains identical provisions applicable to Guilford County.

*Billy Godwin, Legislative Analysis Division, substantially contributed to this summary.*

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