

COMMITTEE SUBSTITUTE

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Senate Bill No. 202

(By Senator Kessler (Mr. President), Fitzsimmons, Beach, Miller,
Laird, Nohe and Stollings)

[Originating in the Committee on Finance;
reported March 28, 2013.]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §19-20C-1, §19-20C-2 and §19-20C-3, all relating to establishing the West Virginia Spay Neuter Assistance Program and Fund; designating the Commissioner of the Department of Agriculture to manage the program and fund; providing grants to nonprofit spay neuter programs in state; limiting administrative expenses of fund; requiring annual reporting; and authorizing rulemaking.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new article, designated §19-20C-1, §19-20C-2 and §19-20C-3, all to read as follows:

ARTICLE 20C. WEST VIRGINIA SPAY NEUTER ASSISTANCE PROGRAM.

§19-20C-1. West Virginia Spay Neuter Assistance Program.

1 The Department of Agriculture shall establish a spay
2 neuter assistance program that provides grants to nonprofit
3 spay neuter organizations and programs in the state. The
4 purpose of this program is to have more dogs and cats
5 sterilized, thereby reducing shelter populations and costs,
6 euthanasia rates and threats to public health and safety from
7 rabies and other problems posed by the growing population
8 of stray, feral and abandoned dogs and cats.

§19-20C-2. Fund established; acceptance of funds.

1 (a) There is created in the State Treasury a special
2 revenue account to be designated the West Virginia Spay

3 Neuter Assistance Fund. Expenditures from the fund are for
4 the purposes set forth in this article and are to be made in
5 accordance with appropriation by the Legislature and in
6 accordance with the provisions of article three, chapter
7 twelve of this code and upon the fulfillment of the provisions
8 set forth in article two, chapter eleven-b of this code.

9 (b) All moneys received and collected pursuant to this
10 article shall be deposited into the fund. The fund may receive
11 any appropriations, gifts, grants, contributions or other
12 money from any source that is designated for deposit into the
13 fund.

14 (c) Administrative expenses of the department may not
15 exceed ten percent of the funds deposited in any fiscal year.
16 The remainder shall be used exclusively for implementation
17 of the program.

§19-20C-3. Rulemaking; annual report.

1 (a) The commissioner shall propose rules for legislative
2 approval in accordance with article three, chapter twenty-

3 nine-a of this code, to implement the provisions of this
4 article.

5 (b) Rules promulgated under this section shall, at a
6 minimum:

7 (1) Identify the types of nonprofit organizations and
8 programs that qualify for spay neuter grants;

9 (2) Establish parameters for spay neuter grants;

10 (3) Establish procedures and requirements for grant
11 applications; and

12 (4) Establish administration, record-keeping and
13 reporting requirements for nonprofit organizations and
14 programs that receive spay neuter grants.

15 (c) Beginning the year following the program's
16 inception, the commissioner shall file an annual report with
17 the Joint Committee on Government and Finance regarding
18 the program, funds received and grants awarded, the number
19 of dogs and cats sterilized and other pertinent data.