

30 *Be it enacted by the Legislature of the state of Utah:*

31 Section 1. Section **4-40-101**, which is renumbered from Section 26-48-101 is
32 renumbered and amended to read:

33 **CHAPTER 40. CAT AND DOG COMMUNITY SPAY AND NEUTER**
34 **PROGRAM RESTRICTED ACCOUNT ACT**

35 ~~[26-48-101]~~. **4-40-101. Title.**

36 This chapter is known as the "Cat and Dog Community Spay and Neuter Program
37 Restricted Account Act."

38 Section 2. Section **4-40-102**, which is renumbered from Section 26-48-102 is
39 renumbered and amended to read:

40 ~~[26-48-102]~~. **4-40-102. Cat and Dog Community Spay and Neuter**
41 **Program Restricted Account -- Interest -- Use of contributions and interest.**

42 (1) There is created within the General Fund the Cat and Dog Community Spay and
43 Neuter Program Restricted Account.

44 (2) The account shall be funded by contributions deposited into the Cat and Dog
45 Community Spay and Neuter Program Restricted Account in accordance with Section
46 59-10-1310.

47 (3) (a) The Cat and Dog Community Spay and Neuter Program Restricted Account
48 shall earn interest.

49 (b) Interest earned on the Cat and Dog Community Spay and Neuter Program
50 Restricted Account shall be deposited into the Cat and Dog Community Spay and Neuter
51 Program Restricted Account.

52 (4) The ~~[department]~~ Department of Agriculture shall distribute contributions and
53 interest deposited into the Cat and Dog Community Spay and Neuter Program Restricted
54 Account to one or more organizations that:

55 (a) are exempt from federal income taxation under Section 501(c)(3), Internal Revenue
56 Code; or

57 (b) operate as a city or county animal shelter.

58 ~~[(b) operate a mobile spay and neuter clinic for cats and dogs;]~~
59 ~~[(c) provide annual spay and neuter services at the mobile spay and neuter clinic~~
60 ~~described in Subsection (4)(b):]~~
61 ~~[(i) to one or more communities in at least 20 counties in the state; and]~~
62 ~~[(ii) by veterinarians who are licensed by Title 58, Chapter 28, Veterinary Practice Act;~~
63 ~~and]~~
64 ~~[(d) (i) spay and neuter cats and dogs owned by persons having low incomes; and]~~
65 ~~[(ii) have established written guidelines for determining what constitutes a person~~
66 ~~having a low income in accordance with any rules made by the department as authorized by~~
67 ~~Subsection (5)(c):]~~

68 (5) (a) An organization described in Subsection (4) may apply to the department to
69 receive a distribution in accordance with Subsection (4).

70 (b) An organization that receives a distribution from the department in accordance with
71 Subsection (4):

72 (i) shall expend the distribution only to spay or neuter dogs and cats:

73 (A) owned by persons having low incomes; and

74 (B) by veterinarians who are licensed by Title 58, Chapter 28, Veterinary Practice Act;

75 and

76 ~~[(C) through a statewide voucher program; and]~~

77 ~~[(D) at a location that:]~~

78 ~~[(F) is not a mobile spay and neuter clinic; and]~~

79 ~~[(H) does not receive any funding from a governmental entity; and]~~

80 (ii) may not expend the distribution for any administrative cost relating to an
81 expenditure authorized by Subsection (5)(b)(i).

82 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
83 department may make rules:

84 (i) providing procedures and requirements for an organization to apply to the
85 department to receive a distribution in accordance with Subsection (4); and

86 (ii) to define what constitutes a person having a low income.

87 Section 3. **Effective date.**

88 This bill takes effect on July 1, 2011.