

CHAPTER 224
FORMERLY
SENATE BILL NO. 114
AS AMENDED BY
HOUSE AMENDMENT NO. 2

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ANIMAL POPULATION CONTROL PROGRAM AND SHELTER STANDARDS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend §3015F, Title 16, Delaware Code by making changes as shown by strike through and insertions as follows:

§ 3015F Eligibility; division of Spay/Neuter Fund proceeds.

The proceeds of the Spay/Neuter Fund outlined in this subchapter shall be available to those parties qualifying for participation under the following eligibility requisites:

(1) An individual may qualify to participate in the program if the individual:

~~d. Establishes proof of identity through photo identification; and~~

Section 2. Amend §3016F, Title 16, Delaware Code by making changes as shown by strike through and insertions as follows:

§ 3016F Preadoption spay/neuter mandate.

(b) Exceptions to the preadoption spay/neuter and rabies inoculation mandate shall be limited to the following:

(2) A dog or cat under the age of 6 months provided that:

a. The ~~adopted~~ adopter shall post a deposit of \$75; and

Section 3. Amend § 3017F, Title 16, Delaware Code by making insertions as shown by underlining as follows:

§ 3017F Enforcement, violations and penalties.

(a) The administrator shall adopt regulations pursuant to this subchapter relative to:

(4) Any other matter necessary for the administration or enforcement of the Animal Population Control Program and Spay/~~Neutering~~ Neuter Fund established under this subchapter.

Section 4. Amend §3018F, Title 16, Delaware Code by making insertions as shown by underlining as follows:

§ 3018F Program administration.

(a) The administrator shall administer the Program and shall be responsible for:

(4) ~~Collecting~~ Directing the collection of co-payments; and

Section 5. Amend §3019F, Title 16, Delaware Code by making changes as shown by strike through and insertions as follows:

§ 3019F Veterinarian participation.

(a) Any veterinarian licensed in the State of Delaware may participate in the Program established under this chapter. To participate, a veterinarian must file an application provided by the administrator ~~spanning a 2-year period from date of approval~~ agreeing to all preset fees and program conditions. Preset fees shall be set by the administrator, in consultation with the Delaware Veterinary Medical Association and shall be subject to revision as determined necessary by the administrator ~~at 2-year intervals~~.

(c) To receive reimbursement for procedures performed, the participating veterinarian or business they work for or the 501(c)(3) [26 U.S.C. § 501(c)(3)] organization shall submit ~~an animal sterilization form signed by the owner of the dog or cat and the veterinarian together with~~ a copy of the completed Spay/Neuter Fund Certificate signed by the veterinarian who performed the surgery to the administrator.

Section 6. Amend §3021F, Title 16, Delaware Code by making insertions as shown by underlining as follows:

§ 3021F Performance measurement.

(2) The Performance Review Committee shall be reinstated as the Spay/Neuter Performance Review Committee (the Committee). The Committee shall consist of the following members or their respective designees:

a. The Secretary of the Department of Health and Social Services, shall serve as an ex officio nonvoting member and shall also act as Chairperson of the Committee;

b. The Director of the Division of Public Health, or a designee having knowledge in the area of rabies control;

c. The President of the Delaware Veterinary Medical Association;

d. ~~The President of the Board of Directors of the First State Animal Center~~ Executive Director of the Delaware Society for the Prevention of Cruelty to Animals;

e. The ~~President of the Board of Directors~~ Executive Director of the First State Animal Center—SPCA;

f. The ~~President of the Board of Directors~~ Executive Director of Faithful Friends Animal Society;

g. The ~~President of the Board of Directors~~ Executive Director of the Delaware Humane Association;

h. The Executive Director of the Brandywine Valley SPCA;

~~h.~~ i. The Director of the Division of Social Services; and

~~i.~~ j. Six additional members appointed by the Chairperson, including 2 members from each county, each of whom shall be a veterinarian or a representative of an animal rescue organization not cited above.

Approved April 17, 2018