

## §3910-B. Companion Animal Sterilization Fund

**1. Establishment.** There is established the Companion Animal Sterilization Fund, an interest-bearing account and nonlapsing fund in the department, referred to in this section as "the fund." The fund receives money deposited by the Treasurer of State pursuant to Title 36, section 5284-A, revenues generated in accordance with this section, all revenue from the surcharges collected under section 3933, subsection 4, revenue received from surcharges in accordance with section 714, subsection 4 and any money contributed voluntarily to the fund. All money deposited in the fund and the earnings on that money remain in the fund to be used for the program established under section 3910-C and for the necessary direct administrative and personnel costs of the department and the administrator as provided under subsection 1-A associated with implementing and overseeing that program, and may not be deposited in the General Fund or any other fund except as specifically provided by law. The fund may not be charged for indirect costs under a departmental indirect cost allocation plan. As used in this section, "administrator," "overpopulation," "program," "sterilization" and "veterinary provider" have the same meanings as in section 3910-C, subsection 1.  
[PL 2023, c. 484, §2 (AMD).]

**1-A. Administration of the fund.** The administrator administers the fund in accordance with subsection 5 and procedures and eligibility standards established under section 3910-C. The administrator may not expend more than 15% of the fund annually for administrative costs.  
[PL 2023, c. 484, §2 (AMD).]

**2. Subsidies; development of standards.**  
[PL 2023, c. 484, §2 (RP).]

**3. Fund-raising.** The commissioner or the commissioner's authorized agent may provide for the creation, reproduction, sale, licensing and distribution and other disposal of any art or other products for the purpose of generating revenues for the fund. All money generated from the sale of these items must be deposited into the fund.  
[PL 2003, c. 682, §4 (NEW).]

**4. Oversight.**  
[PL 2021, c. 523, §4 (RP).]

**5. Distribution of funds.** Money in the fund must be distributed for the purposes of the program in accordance with this subsection.

A. The administrator shall determine if there is an overpopulation of cats or dogs and apportion available funds between sterilization for cats and dogs according to the need to control overpopulation of cats or dogs. [PL 2023, c. 484, §2 (NEW).]

B. If one species under paragraph A is overpopulated, but not the other, then no more than 10% of the fund annually may be expended for sterilization for the species that is not overpopulated. [PL 2023, c. 484, §2 (NEW).]

C. If there is no overpopulation of either species under paragraph A, funds must be expended according to requests for assistance with sterilization costs from eligible program applicants and participating veterinary providers with priority given to geographic areas with the greatest need for program services. [PL 2023, c. 484, §2 (NEW).]

[PL 2023, c. 484, §2 (NEW).]

### SECTION HISTORY

PL 2003, c. 682, §4 (NEW). PL 2005, c. 281, §5 (AMD). PL 2005, c. 510, §6 (AMD). PL 2007, c. 539, Pt. CCCC, §§1-3 (AMD). PL 2009, c. 148, §3 (AMD). PL 2021, c. 523, §§1-4 (AMD). PL 2023, c. 484, §2 (AMD).

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