

## **Title 16. Professional and Vocational Regulations Division 20. Veterinary Medical Board**

*Changes to the modified language are shown in  
strikeout for deleted text and underline for new text.*

### **2090. Program Overview**

The Veterinary Medical Board of California (“Board”), as the sponsoring state agency, recognizes the California Spay and Neuter License Plate Fund Inc. (“Fund”), a non-profit California corporation, as the organization that will administer and manage the California Pet Lovers License Plate Program (“Program”), which uses revenues from the original issuance, renewal, retention, replacement, or transfer of the license plates to provide funding to no or low cost animal sterilization services from approved providers of those services (“Grantees”).

Authority cited: Section 4808, Business and Professions Code and Section 5156, Vehicle Code.  
Reference: Section 5156, Vehicle Code

### **2090.1. Ownership of Program Title**

The title “California Pet Lovers License Plate Program” is wholly owned by the Fund. If at any time the Fund’s role for administration and management of the Program terminates, the Board shall immediately cease use of this title.

Authority cited: Section 4808, Business and Professions Code and Section 5156, Vehicle Code.  
Reference: Section 5156, Vehicle Code

### **2091. Withdrawal of Recognition by Board**

The Board may withdraw its recognition of the Fund in the following circumstances:

(a) If the Fund employs fraud, misrepresentation, or deception in administering or managing the Program or its funds.

(b) If the Fund fails to provide any documents or records that are requested by the Board.

(c) If the Fund fails to qualify for non-profit status under Section 501(c)(3) of the Internal Revenue Code and Section 23701(d) of the Revenue and Taxation Code.

(d) If the Fund fails to comply with this Article, or any state or federal tax requirements, and it fails to correct the lack of compliance within 120 days of its discovery.

Authority cited: Section 4808, Business and Professions Code and Section 5156, Vehicle Code.  
Reference: Section 5156, Vehicle Code

### **2091.1. Notice and Opportunity to be Heard**

Prior to taking any action to withdraw recognition of the Fund, the Board shall provide the Fund due notice and an opportunity to be heard.

Authority cited: Section 4808, Business and Professions Code and Section 5156, Vehicle Code.  
Reference: Section 5156, Vehicle Code

## **2092. Reporting Requirements**

The Fund shall prepare and submit an accounting report to the Board by May 31 of each year. The report shall be made available for presentation at the public meeting of the board, and the report shall include all of the following:

(a) A list of the Fund's board members.

(b) A copy of the Fund's bylaws.

(b) A list of all Grantees approved by the Fund.

(c) The amount of funds given to Grantees.

(d) The total amount of revenue collected by the Fund.

(e) The amounts of expenditures for administrative costs, marketing, or other promotional activities associated with encouraging application for, or renewal of, the specialized plates.

(f) The number of animal sterilization procedures performed by Grantees with Program funds, per geographic region.

(g) All comments, complaints, or feedback, received by the Fund about the Program or any Grantee.

Authority cited: Section 4808, Business and Professions Code and Section 5156, Vehicle Code.  
Reference: Section 5156 and 5160, Vehicle Code

### **2092.1. Notifications**

The Fund shall notify the Board in writing within 15 working days of any of the following:

(a) The departure of any board member.

(b) The appointment of any board member.

(c) Any change to the Fund's current bylaws, or

(d) Any change in the Fund's California non-profit 501(c)(3) status.

Authority cited: Section 4808, Business and Professions Code and Section 5156, Vehicle Code.  
Reference: Section 5156 and 5160, Vehicle Code

### **2093. Grantee Eligibility**

An entity is eligible to be a Grantee of the Program if it meets the following criteria:

(a) An entity is eligible to be a Grantee of the Program if it is at least one of the following:

(1) A California licensed Veterinarian or Veterinary Medical Association;

(2) A California City, County, or City and County;

(3) A California City, County, or City and County Animal Care and Control Department or Police Department that provides animal care and control services;

(4) A California non-profit 501(c)(3) organization.

(b) An entity is eligible to be a Grantee of the Program if it does at least one of the following:

(1) Currently provides, or has the ability to provide, animal sterilization services;

(2) Currently contracts with, or has the ability to contract with, providers of animal sterilization services;

(3) Operates, or has the ability to operate, a voucher program for animal sterilization service providers.

(c) An entity is eligible to be a Grantee of the Program if it complies with all of the following as applicable:

(1) The Veterinary Medicine Practice Act;

(2) The U.S. Internal Revenue Service;

(3) The California Franchise Tax Board; and

(4) The California Veterinary Public Health Section, including mandated rabies control activities and reporting for the Local Rabies Control Activities Annual Report.

(5) Hold a valid veterinary premises registration as required by Section 4853 of the Code.

Authority cited: Section 4808, Business and Professions Code and Section 5156, Vehicle Code.  
Reference: Section 5156, Vehicle Code

### **2093.1 Grantee Application**

The Fund reserves the right, on an annual basis, to approve applications on a “first come/first served” basis depending on availability of funds and other criteria that promotes the official work of this program.

Authority cited: Section 4808, Business and Professions Code and Section 5156, Vehicle Code.  
Reference: Section 5156, Vehicle Code

### **2094. Grantee Requirements**

Every Grantee shall agree to the following Program requirements prior to receipt of funding:

(a) Grantee shall provide information and records as requested by the Fund, including but not limited to, receipts and records of sterilization procedures.

(b) Grantee shall maintain its operations and records as open for inspection or audit by the Fund.

Authority cited: Section 4808, Business and Professions Code and Section 5156, Vehicle Code.  
Reference: Section 5156, Vehicle Code

### **2095. Funding Purposes**

(a) Grantees receive funding to provide specific services in addition to existing services already funded and provided by that Grantee.

(b) Grantees shall use Program funds for no or low cost sterilization of only dogs, cats, and rabbits.

(c) Grantees shall not use Program funds for any of the following:

(1) To replace or supplant existing sterilization procedures, including any sterilization already required by Food and Agriculture Code § 30503 i.e., impounded animals.

(2) To fund overhead and/or operational costs.

(3) To offset any other budget reductions or shortcomings in the Grantee's general fund.

Authority cited: Section 4808, Business and Professions Code and Section 5156, Vehicle Code.  
Reference: Section 5156, Vehicle Code

### **2095.1. Separation of Funds**

Grantees, including governmental entities, shall keep and maintain all Program funds segregated from all other revenue, such that there shall be no commingling of Program funds with other revenue. Grantees, including governmental entities, may segregate these funds by use of "special" funds, trust funds, or other methods to prevent these funds from being commingled with general fund revenue. In no event shall the monies from the Fund be diverted to any government entity's general fund.

Authority cited: Section 4808, Business and Professions Code and Section 5156, Vehicle Code.  
Reference: Section 5156, Vehicle Code

### **2095.2. DMV Reports**

The Board shall request, on a quarterly basis, a report from DMV that outlines the following for each month of the quarter and overall for the quarter:

(a) Number of license plates, sold, renewed or canceled

(b) Total revenue received from the sale and renewal of the license plates

(c) Total revenue designated for the Fund

(d) Total revenue deposited into the Environmental License Plate Fund

(e) Total revenue for administrative services and the detail of services required.

Authority cited: Section 4808, Business and Professions Code and Section 5156, Vehicle Code.

Reference: Section 5156, Vehicle Code

### **2095.3. Fund Transfers**

The Board shall request transfer of funds on no less than an annual basis and may request quarterly or biannual fund transfers. The Board may request funds be transferred directly to the Fund.

Authority cited: Section 4808, Business and Professions Code and Section 5156, Vehicle Code.

Reference: Section 5156 and 5157, Vehicle Code