

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H.B. 561
Apr 2, 2019
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30185-MH-30

Short Title: Strengthen Dangerous Dog Laws.

(Public)

Sponsors: Representative Torbett.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE ADDITIONAL PROTECTIONS FOR VICTIMS OF DANGEROUS
3 DOGS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 67-4.1(c) reads as rewritten:

6 "(c) The county or municipal authority responsible for animal control shall designate a
7 person or a Board to be responsible for determining when a dog is a "potentially dangerous dog"
8 and shall designate a separate Board to hear any appeal. The person or Board making the
9 determination that a dog is a "potentially dangerous dog" must impound the dog and notify the
10 owner in writing, giving the reasons for the determination, before the dog may be considered
11 potentially dangerous under this Article. The owner may appeal the determination by filing
12 written objections with the appellate Board within three days. The appellate Board shall schedule
13 a hearing within 10 days of the filing of the objections. Any appeal from the final decision of
14 such appellate Board shall be taken to the superior court by filing notice of appeal and a petition
15 for review within 10 days of the final decision of the appellate Board. Appeals from rulings of
16 the appellate Board shall be heard in the superior court division. The appeal shall be heard de
17 novo before a superior court judge sitting in the county in which the appellate Board whose ruling
18 is being appealed is located. If the potentially dangerous dog determination is upheld or the owner
19 of the dog does not appeal the determination, the dog shall be returned to the owner only upon
20 (i) the owner paying the costs of the impoundment and (ii) the person or Board that made the
21 "potentially dangerous dog" determination finding that the owner's confinement of the animal
22 meets the requirements of G.S. 67-4.2(a)(1)."

23 **SECTION 2.** G.S. 67-4.3 reads as rewritten:

24 **"§ 67-4.3. Penalty for attacks by dangerous dogs.**

25 The owner of a dangerous dog that attacks a person and causes physical injuries requiring
26 medical treatment in excess of one hundred dollars (\$100.00) or attacks and kills a dog under the
27 immediate control of a person shall be guilty of a Class 1 misdemeanor. For purposes of this
28 section, "under the immediate control of a person" shall mean on a leash or held in the arms of
29 the person."

30 **SECTION 3.** This act becomes effective October 1, 2019, and applies to acts
31 occurring on or after that date.

