

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1363

Short Title: Confinement of Biting Dogs and Cats. (Public)

Sponsors: Representatives Blue; E. Floyd, Mackey, and Wray.

Referred to: Health, if favorable, Judiciary II.

April 9, 2009

A BILL TO BE ENTITLED

AN ACT TO AMEND THE LAW REGARDING THE CONFINEMENT OF BITING DOGS
AND CATS TO PROVIDE THAT THOSE ANIMALS SHALL BE CONFINED ON
THEIR OWNER'S PROPERTY UNLESS CIRCUMSTANCES JUSTIFY CONFINING
THEM ELSEWHERE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 130A-196 reads as rewritten:

**"§ 130A-196. Confinement of all biting dogs and cats; notice to local health director;
reports by physicians; certain dogs exempt.**

When a person has been bitten by a dog or cat, the person or parent, guardian or person standing in loco parentis of the person, and the person owning the animal or in control or possession of the animal shall notify the local health director immediately and give the name and address of the person bitten and the owner of the animal. All dogs and cats that bite a person shall be immediately confined for 10 days on the owner's property, unless the owner cannot produce proof of the animal's rabies vaccinations within a reasonable time or unless circumstances exist to suggest that the animal presents a threat to the public, in which case the animal shall be confined for 10 days in a place designated by the local health director. However, the local health director may authorize a dog trained and used by a law enforcement agency to be released from confinement to perform official duties upon submission of proof that the dog has been vaccinated for rabies in compliance with this Part. After reviewing the circumstances of the particular case, the local health director may allow the owner of an animal that has been removed from the owner's property to confine the animal on the owner's property. An owner who fails to confine his animal in accordance with the instructions of the local health director shall be guilty of a Class 2 misdemeanor. If the owner or the person who controls or possesses a dog or cat that has bitten a person refuses to confine the animal as required by this section, the local health director may order seizure of the animal and its confinement for 10 days at the expense of the owner. A physician who attends a person bitten by an animal known to be a potential carrier of rabies shall report within 24 hours to the local health director the name, age and sex of that person."

SECTION 2. This act becomes effective July 1, 2009.

