

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

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HOUSE BILL 561

Short Title: Strengthen Dangerous Dog Laws. (Public)

Sponsors: Representative Torbett.

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: State and Local Government, if favorable, Judiciary, if favorable, Rules, Calendar, and Operations of the House

April 4, 2019

A BILL TO BE ENTITLED

AN ACT TO PROVIDE ADDITIONAL PROTECTIONS FOR VICTIMS OF DANGEROUS DOGS.

The General Assembly of North Carolina enacts:

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

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

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

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

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

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

