

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

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**SENATE BILL 1032  
Judiciary II Committee Substitute Adopted 5/18/05**

Short Title: Study Inherently Dangerous Animals.

(Public)

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Sponsors:

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Referred to:

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March 24, 2005

A BILL TO BE ENTITLED

1  
2 AN ACT DIRECTING THE DEPARTMENT OF ENVIRONMENT AND NATURAL  
3 RESOURCES TO DETERMINE THE BEST MEANS OF PROTECTING THE  
4 PUBLIC AGAINST THE HEALTH AND SAFETY RISKS POSED BY  
5 INHERENTLY DANGEROUS ANIMALS.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** The Department of Environment and Natural Resources, in  
8 consultation with the North Carolina Zoological Park and the Wildlife Resources  
9 Commission, shall study the need to protect the public against the health and safety  
10 risks posed by inherently dangerous animals and propose a means of best providing that  
11 protection to the public while protecting the welfare of inherently dangerous animals as  
12 well. In developing recommendations, the Department shall consult with the following  
13 entities or groups, or appropriate representatives of those entities or groups:

- 14 (1) The North Carolina Department of Agriculture and Consumer  
15 Services;
- 16 (2) The North Carolina School of Veterinary Medicine;
- 17 (3) The State Animal Response Team;
- 18 (4) Local law enforcement officials;
- 19 (5) Local animal control officials;
- 20 (6) Wild animal breeders;
- 21 (7) Exotic pet hobbyists;
- 22 (8) Commercial pet retailers;
- 23 (9) Small zoo owners;
- 24 (10) Humane organizations; and
- 25 (11) Any other entities or groups whose interests may be affected by  
26 proposed regulations.

27 The Department shall report its findings to the General Assembly no later  
28 than the convening of the 2006 Regular Session of the 2005 General Assembly. Any

1 legislation recommended in the report may be considered during the 2006 Regular  
2 Session of the 2005 General Assembly.

3 **SECTION 2.** The report made by the Department of Environment and  
4 Natural Resources pursuant to this act shall include:

- 5 (1) A list of the types of animals that possess such inherently dangerous  
6 characteristics that they should not be owned or possessed by persons  
7 who do not have special expertise or training, and a determination as to  
8 whether these animals should be grouped into classes for differential  
9 treatment based upon the nature and extent of the threat they pose to  
10 the public. This list should also include information about the nature of  
11 the dangers posed by each type of animal.
- 12 (2) A suggested means for regulating ownership of certain animals,  
13 including a means of enforcing any proposed restrictions on the  
14 ownership or possession of those animals. This portion of the report  
15 may include an evaluation of regulations in place in other jurisdictions  
16 that have proven to be effective in protecting the public from  
17 inherently dangerous animals.
- 18 (3) A plan for addressing inherently dangerous animals that are indigenous  
19 species within the jurisdiction of the Wildlife Resources Commission  
20 under Article 22 of Chapter 113 of the General Statutes and a  
21 consideration as to whether any potential legislation should broadly  
22 address the keeping of any wildlife as pets, whether indigenous or not  
23 and whether inherently dangerous or not. This portion of the report  
24 should result from extensive consultation with the Wildlife Resources  
25 Commission.
- 26 (4) A recommendation as to whether persons owning or possessing  
27 animals covered by any proposed restrictions should be grandfathered  
28 in under a regulatory scheme and the appropriate means of  
29 grandfathering those persons in, including consideration of whether  
30 certain animals are so threatening to the public safety that the  
31 grandfathering of untrained owners or possessors should not be  
32 allowed under any circumstances.
- 33 (5) A recommended list, as comprehensive as possible, of persons and  
34 entities that should be exempted from the proposed restrictions on  
35 ownership or possession of the animals covered by any proposed  
36 restrictions, such as zoos, veterinary hospitals, wildlife sanctuaries,  
37 research institutions, and the like.

38 **SECTION 3.** This act is effective when it becomes law.