

April 4, 2005

H 1085. CARE OF DOGS ILLEGALLY USED FOR FIGHTING. TO REQUIRE A DEFENDANT ARRESTED FOR USING DOGS FOR FIGHTING TO POST A DEPOSIT TO THE ANIMAL SHELTER TO PAY FOR THE DOG'S KEEP DURING THE PERIOD PRIOR TO ADJUDICATION OF THE CHARGES. Enacts new GS 19A-70 to permit an animal shelter having custody of dogs illegally used in fighting to petition the court to order the defendant (arrested under GS 14-362.2) to post security for payment of all reasonable expenses expected to be incurred by the shelter in caring for the dogs pending disposition of the charges. "Reasonable expenses" includes medical care and boarding of the dogs for at least 30 days. The shelter may draw from the security the actual costs incurred in caring for the dogs. At the expiration of 30 days, the shelter may petition for the posting of additional security. If defendant fails to post security as ordered by the court the shelter must arrange for the dogs' adoption or, if no adoption can be arranged, humanely euthanize the dogs. If a defendant can establish inability to pay the full amount of security, the court may set the security at a different amount or allow the defendant to provide for the dogs without removal to a shelter. The court may order the defendant to provide food, water, shelter, and care for any dogs that are the basis of the charges against the defendant without removal of dogs from their the existing location until charges against the defendant are adjudicated, as long as an animal control officer or other law enforcement officer monitors the dogs' care. Applies to arrests occurring on or after date act becomes law.

Intro. by Insko.

Ref. to Judiciary I

GS 19A

May 2, 2005

H 1085. CARE OF DOGS ILLEGALLY USED FOR FIGHTING. Intro. 4/4/05. House committee substitute makes the following changes to 1st edition. (1) Provides that the hearing on a petition from an animal shelter must be heard within 10 to 15 days (was, 5) and provides for notice of the petition by the shelter to the defendant. (2) Provides for automatic renewal each 30 days of order directing defendant to deposit funds with shelter if shelter provides court with affidavit stating that criminal case is not yet resolved (was, renewal of order was within discretion of court). (3) Deletes provision permitting court to modify amount of deposit because of inability of defendant to pay amount found necessary to care for dogs. (4) Changes effective date from when bill becomes law to December 1, 2005.

August 11, 2005

H 1085. CARE OF DOGS ILLEGALLY USED FOR FIGHTING. Intro. 4/4/05. Senate committee substitute makes the following changes to 2nd edition. New GS 19A-70 would require persons charged with dog fighting or baiting to post a deposit in some circumstances in order to provide for the care and feeding of any dogs seized by animal control. Committee substitute adds language to require a full refund of any such deposit if the person is found not guilty of the charge.

September 21, 2005

SL 2005-383 (H 1085). CARE OF DOGS ILLEGALLY USED FOR FIGHTING. AN ACT TO REQUIRE A DEFENDANT ARRESTED FOR USING DOGS FOR FIGHTING TO POST A DEPOSIT TO THE ANIMAL SHELTER TO PAY FOR THE DOGS' KEEP DURING THE PERIOD PRIOR TO ADJUDICATION OF THE CHARGES. Summarized in *Daily Bulletin* 4/4/05, 5/2/05, and 8/11/05. Enacted September 13, 2005. Effective December 1, 2005.