

May 17, 2006

**H 2098. PROTECTION OF ANIMALS.** Filed 5/17/06. *TO AMEND THE LAW RELATING TO THE PROTECTION OF ANIMALS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.*

Rewrites GS 19A-3, which authorizes the court to allow a complainant to take possession of an animal when a complaint has been filed seeking an injunction relating to cruelty to an animal, to authorize that person (the custodian) to employ a veterinarian or other health provider to provide necessary medical care for the animal. The custodian first must consult with the defendant, or attempt to do so, but does not have to have the defendant's consent. Custodian may not have an animal euthanized without written consent of the defendant or a court order finding that the animal is suffering due to terminal illness or terminal injury. Also authorizes the custodian to place an animal with a foster care provider. Rewrites GS 19A-4 to (1) provide that if the plaintiff prevails the court may include costs of food, water, shelter, and care provided to the animal as part of the costs allowed plaintiff under GS 6-18; (2) authorize the court for good cause to enjoin defendant from acquiring new animals or limit the number of animals defendant may own or possess for a specified period of time; and (3) require the court to consider and authorize the court to provide for custody and care of the animal until time to appeal expires or all appeals have been exhausted. Rewrites GS 19A-70, which provides for the care of dogs used illegally for fighting, to broaden the section to apply to any animal subjected to illegal treatment. Rewrites GS 14-362.2 to make clear that the prohibition against dog fighting includes a dog fighting with another dog or with another animal. Effective December 1, 2006.

**Intro. by Ross, Insko.**

GS 14, 19A

June 8, 2006

**H 2098. PROTECTION OF ANIMALS.** Filed 5/17/06. House committee substitute makes the following changes to 1st edition. Modifies GS 19A-3 (care of animal pending injunction hearing) to change terminology referring to the "plaintiff" and "plaintiff as custodian" and to delete a redundant phrase in subsection (c). Modifies GS 19A-70 (care of mistreated animal) to clarify (1) that the hearing required in subsection (b) is to determine the need to care and provide for the animal during the litigation, (2) that the court must consider the need to care and provide for the animal when setting the amount of funds the defendant must deposit under subsection (c), and (3) that the amount of the deposit to be refunded under subsection (e) is net of any draws on it pursuant to subsection (d). Clarifies that the act applies only to actions commenced on or after December 1, 2006.

June 26, 2006

**H 2098. PROTECTION OF ANIMALS.** Filed 05/18/06. Senate committee substitute makes the following changes to 2nd edition. Amends the first sentence of proposed new GS 19A-3(b) (dealing with preliminary hearings on civil charges of animal cruelty and the care of the animal pending a hearing on the merits) by deleting the phrase "or other health provider". The change limits the plaintiff as custodian to employing a veterinarian to provide any necessary medical care for a subject animal without any additional court order.

June 27, 2006

**H 2098. PROTECTION OF ANIMALS.** Filed 5/17/06. Senate amendment makes the following changes to 3rd edition. Adds new subsection (d) to GS 14-362.2 (dog fighting and baiting) to clarify that the statute, as amended by the 3rd edition, does not prohibit the use of dogs in the lawful taking of animals under the jurisdiction and regulation of the Wildlife Resources Commission.

July 17, 2006

**SL 2006-113 (H 2098). PROTECTION OF ANIMALS. AN ACT TO AMEND THE LAW RELATING TO THE PROTECTION OF ANIMALS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.** Summarized in *Daily Bulletin* 5/17/06, 6/8/06, 6/26/06, and 6/27/06. Enacted July 13, 2006. Effective December 1, 2006.

