

February 7, 2007

S 92. DANGEROUS DOGS/LIABILITY INSURANCE. Filed 2/7/07. *TO REQUIRE OWNERS OF DANGEROUS AND POTENTIALLY DANGEROUS DOGS TO ACQUIRE LIABILITY*

INSURANCE. Enacts new GS 67-4.6 requiring a dog owner to obtain an insurance policy of at least \$100,000 within 30 days after the determination that a dog is dangerous or potentially dangerous, insuring the owner against liability for personal injury or damage caused by the dog. Failure to obtain the insurance or produce evidence of the insurance is a Class 1 misdemeanor. Effective for acts occurring on or after October 1, 2007.

Intro. by Bingham.

GS 67

May 8, 2007

S 92. DANGEROUS DOGS/FINANCIAL RESPONSIBILITY (NEW). Filed 2/7/07. Senate committee substitute makes the following changes to 1st edition. Removes the proposed new GS 67-4.6 and makes the following changes. Amends GS 67-4.1 to (1) include in the definition of *dangerous dog* a dog that has been determined to be dangerous by a dangerous dog board because the dog has inflicted severe injury on a person, (2) remove from the definition of *dangerous dog* a potentially dangerous dog and remove definition of *potentially dangerous dog*, (3) add a definition of *appeals board*, (4) add a definition of *dangerous dog board*, (5) add a definition of *surety*, and (6) remove provision that authorized counties and municipalities to appoint boards responsible for determining when a dog is "potentially dangerous." Enacts new GS 67-4.1A requiring the county or municipal authority responsible for animal control to designate a dangerous dog board (board), which is responsible for determining whether a dog that has inflicted severe injury on a person is a dangerous dog. The board may also determine that a dog is a dangerous dog if the dog has killed or injured a person without provocation or if the dog is owned for the purpose of dog fighting, but dogs that meet these two descriptions are considered dangerous dogs regardless of whether the board has made such a determination. Requires the board to provide the dog's owner with written notice at least three days before making a determination. Also requires the authority responsible for animal control to designate a separate appeals board for appeals from determinations made by the dangerous dog board. An owner may appeal by filing an objection within three days of the board's determination. An owner may also appeal a final decision by the appeals board to the superior court. Enacts new GS 67-4.1B requiring an owner of a dog that has been determined to be a dangerous dog by the board to demonstrate proof of financial responsibility in the amount of \$5,000, which may be demonstrated by listed methods. The owner must provide the board with proof of financial responsibility within five days of the board determining that the dog is dangerous. Failure to provide financial responsibility to the board or to produce evidence of the required proof when it is demanded by an animal control officer is grounds for the board to order that the dog be taken into custody and destroyed. Applies to determinations made by the board on or after October 1, 2007. Makes a conforming title change.