

April 6, 2009

H 1098. KILL SEARCH AND RESCUE ANIMAL. Filed 4/6/09. *TO MAKE IT A CLASS H FELONY TO WILLFULLY KILL OR ATTEMPT TO KILL A SEARCH AND RESCUE ANIMAL AND TO MAKE IT AN AGGRAVATING CIRCUMSTANCE FOR OTHER CRIMINAL OFFENSES THAT A SEARCH AND RESCUE ANIMAL WAS SERIOUSLY HARMED OR KILLED WHILE THE ANIMAL WAS ENGAGED IN PERFORMING OFFICIAL DUTIES.*

Amends GS 14-163.1 to make it a (1) Class H felony for any person who knows or has reason to know that an animal is a search and rescue animal to willfully kill that animal, (2) Class I felony for any person who knows or has reason to know that an animal is a search and rescue animal to willfully cause or attempt to cause serious harm to that animal, (3) Class 1 misdemeanor for any person who knows or has reason to know that an animal is a search and rescue animal to willfully cause or attempt to cause harm to that animal, unless that conduct is assigned greater punishment under another provision of law, and (4) Class 2 misdemeanor for any person who knows or has reason to know that an animal is a search and rescue animal to willfully taunt, tease, harass, delay, obstruct, or attempt to delay or obstruct the animal in the performance of the animal's duties, unless that conduct is assigned greater punishment under another provision of law. Provides that a defendant convicted of a violation of this statute is required to make restitution to a person with a disability, or to a person, group, or law enforcement agency who owns or is responsible for the care of the search and rescue animal for applicable specified lost expenses or income. Defines *search and rescue animal*.

Amends GS 15A-1340.16(d)(6a) to add that an offense committed against, or that proximately causes serious harm, as defined in GS 14-163.1, or death to a search and rescue animal while engaged in the performance of the animal's official duties is to be considered an aggravating factor in sentencing.

Effective for offenses committed on or after December 1, 2009.

Intro. by Frye.

GS 14, 15A

April 15, 2009

H 1098. KILL SEARCH AND RESCUE ANIMAL. Filed 4/6/09. House committee substitute makes the following changes to 1st edition. Changes the caption of GS 14-163.1 to "Assaulting a law enforcement agency animal, an assistance animal, or a search and rescue animal."

July 2, 2009

H 1098. PROTECT SEARCH AND RESCUE ANIMAL (NEW). Filed 4/6/09. Senate committee substitute makes the following changes to 2nd edition. Adds to proposed amended GS 14-163.1 that a defendant convicted of a violation of this statute is to be ordered to make restitution to individuals or a group who owns or is responsible for the care of the animal for the salary of the search and rescue animal handler as a result of the search and rescue services lost during the time the handler is with the search and rescue animal receiving training or retraining. Also makes conforming and organizational changes.

Changes the title to *AN ACT TO PROVIDE THE SAME PROTECTIONS TO SEARCH AND RESCUE ANIMALS AS THOSE PROVIDED TO LAW ENFORCEMENT AGENCY ANIMALS AND ANIMALS THAT ASSIST THE DISABLED.*

August 18, 2009

SL 2009-460 (H 1098). PROTECT SEARCH AND RESCUE ANIMAL. AN ACT TO PROVIDE THE SAME PROTECTIONS TO SEARCH AND RESCUE ANIMALS AS THOSE PROVIDED TO LAW ENFORCEMENT AGENCY ANIMALS AND ANIMALS THAT ASSIST THE DISABLED. Summarized in *Daily Bulletin* 4/6/09, 4/15/09, and 7/2/09. Enacted August 7, 2009. Effective December 1, 2009.