



SPONSOR: Rep. K. Williams

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE AMENDMENT NO. 1
TO
SENATE SUBSTITUTE NO. 1
FOR
SENATE BILL NO. 269

AMEND Senate Substitute No. 1 for Senate Bill No. 269 between line 69 and line 70 by inserting the following:

“(a) An animal welfare officer shall seize and impound a dog suspected of being dangerous or potentially dangerous when the officer has reasonable cause to believe that the dog has engaged in 1 or more of the following: acts listed under § 3076F(a) or § 3077F(a) of this title.

~~(1) Killed or inflicted physical injury or serious physical injury upon a human being.~~

~~(2) Killed or inflicted serious physical injury upon a domestic animal, provided the domestic animal was on the property of its owner or under the immediate control of its owner.~~

~~(3) Chased or pursued a person, including a person on a bicycle, upon the streets, sidewalks, or any public or private property, other than the dog owner’s property, in an apparent attitude of attack on 2 separate occasions within a 12-month period.~~

~~(4) Caused physical injury to a domestic animal, provided the domestic animal was on the property of its owner or under the immediate control of its owner, on more than one occasion in a 12-month period. For purposes of this paragraph (a)(4), “physical injury” means impairment of physical condition and substantial pain.”.~~

FURTHER AMEND Senate Substitute No. 1 for Senate Bill No. 269 by deleting lines 163 through 165 and inserting in lieu thereof the following:

“(d)(1) If For a dog declared to be potentially dangerous under this section before [the effective date of this Act], if there are no additional instances of the behavior described in subsection (a) of this section within a 24 month period from the date the dog is declared potentially dangerous, the dog ~~shall~~ will no longer be deemed a potentially dangerous dog.

(2) Paragraph (d)(1) of this section does not apply to a dog declared to be potentially dangerous on or after [the effective date of this Act].”.

FURTHER AMEND Senate Substitute No. 1 for Senate Bill No. 269 after line 211 by inserting the following:

22 “Section 13. Sections 9 and 10 of this Act apply to an action to declare a dog dangerous or potentially dangerous
23 filed on or after the effective date of this Act.”.

SYNOPSIS

This Amendment makes the conditions under which an animal welfare officer must seize and impound a dog consistent with the findings that the Justice of the Peace Court must make to declare a dog potentially dangerous under § 3077F(a) of Title 16 or dangerous under § 3076F(a) of Title 16.

This Amendment also clarifies that the current provision that a dog may lose its potentially dangerous designation after a 24-month term applies only to dogs that are declared potentially dangerous prior to the effective date of the Act. Dogs deemed potentially dangerous on or after the effective date of the Act will retain the potentially dangerous designation permanently.

Finally, the Amendment adds a Section 13, which provides that Sections 9 and 10 of the Act, pertaining to the findings necessary to declare a dog dangerous or potentially dangerous and the requirements the owners of those dogs must meet, apply only to actions filed on or after the effective date of this Act.