

ENGROSSED HOUSE  
BILL NO. 1190

By: Satterfield and Tyler of  
the House

and

Fisher of the Senate

An Act relating to animals; amending 4 O.S. 1991,  
Section 44, which relates to dangerous dogs;  
modifying definitions; and providing an effective  
date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 4 O.S. 1991, Section 44, is  
amended to read as follows:

Section 44. As used in this act:

1. "Potentially dangerous dog" means any dog that when unprovoked:
  - a. inflicts bites on a human either on public or private property,
  - b. chases or approaches a person upon ground owned or controlled by a public or private school, in a menacing fashion or apparent attitude of attack,
  - c. comes onto public school grounds during regular school hours while school children are present, and
  - d. exhibits a known propensity, tendency or disposition to attack, to cause injury or otherwise to threaten the safety of humans or domestic animals;

2. "Dangerous dog" means any dog that:

- a. has inflicted severe injury on a human being without provocation on public or private property, or
- b. has been previously found to be potentially dangerous, the owner having received notice of such by the animal control authority in writing and the dog thereafter aggressively bites, attacks, or endangers the safety of humans;

3. "Severe injury" means any physical injury that results in broken bones or lacerations requiring multiple sutures or cosmetic surgery;

4. "Proper enclosure of a dangerous dog" means, while on the owner's property, a dangerous dog shall be securely confined indoors or in a securely enclosed and locked pen or structure with at least one hundred fifty (150) square feet of space for each dog kept therein which is over six (6) months of age, and which is suitable to prevent the entry of children and designed to prevent the animal from escaping. Such pen or structure shall have secure sides ~~and a secure top~~, and shall also provide protection from the elements for the dog;

5. "Animal control authority" means an entity acting alone or in concert with other local governmental units for enforcement of the animal control laws of the city, county and state and the shelter and welfare of animals;

6. "Animal control officer" means any individual employed, contracted with, or appointed by the animal control authority for the purpose of aiding the enforcement of this act or any other law or ordinance relating to the licensure of animals, control of animals, or seizure and impoundment of animals, and includes any state or local law enforcement officer or other employee whose duties in whole or in part include assignments that involve the seizure and impoundment of any animal; and

7. "Owner" means any person, firm, corporation, organization, or department possessing, harboring, keeping, having an interest in, or having control or custody of an animal.

SECTION 2. This act shall become effective November 1, 1995.

Passed the House of Representatives the 9th day of March, 1995.

Speaker of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 1995.

President of the Senate