

ENGROSSED HOUSE AMENDMENT  
TO  
ENGROSSED SENATE BILL NO. 472

By: Shurden of the Senate

and

Leist of the House

An Act relating to animals; amending 4 O.S. 1991,  
Section 44, which relates to dangerous dogs;  
modifying definition of a potentially dangerous and  
dangerous dog; and declaring an emergency.

AMENDMENT NO. 1. Strike the title, enacting clause and entire bill  
and insert

"An Act relating to animals; amending 4 O.S. 1991,  
Section 44, which relates to dangerous dogs;  
modifying definition of a potentially dangerous and  
dangerous dog; and declaring an emergency.

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~~ Section 44 et seq. of this  
title:

1. "Potentially dangerous dog" means any dog that:
  - a. when unprovoked inflicts bites on a human either on  
public or private property, or
  - b. when unprovoked kills or severely injures a domestic  
animal either on public or private property;
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, or

c. 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 kills or severely injures a domestic animal;

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. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

Passed the House of Representatives the 27th day of March, 2001.

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Presiding Officer of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2001.

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Presiding Officer of the Senate