

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

SENATE BILL 247

By: Reynolds

AS INTRODUCED

An Act relating to animals; amending 4 O.S. 2001, Section 46, which relates to local regulation of dangerous dogs; deleting requirement that certain regulations not be breed specific; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 4 O.S. 2001, Section 46, is amended to read as follows:

Section 46. A. It is unlawful for an owner of a dangerous dog to permit the dog to be outside the proper enclosure unless the dog is muzzled and restrained by a substantial chain or leash and under physical restraining of a responsible person over sixteen (16) years of age. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but shall prevent it from biting any person or animal.

B. Potentially dangerous or dangerous dogs may be regulated through local, municipal and county authorities, ~~provided the regulations are not breed specific.~~ Nothing in this act shall prohibit such local governments from enforcing penalties for violation of such local laws.

C. Dogs shall not be declared dangerous if the threat, injury, or damage was sustained by a person who, at the time, was committing a willful trespass or other tort upon the premises occupied by the owner of the dog, or was tormenting, abusing, or assaulting the dog or has, in the past, been observed or reported to have tormented,

abused, or assaulted the dog or was committing or attempting to commit a crime.

SECTION 2. This act shall become effective July 1, 2005.

SECTION 3. 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.

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