

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 362

By: Shortey

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5
6 AS INTRODUCED

7 An Act relating to animals; creating Cody's Law;
8 amending 4 O.S. 2001, Section 46, as amended by
9 Section 4, Chapter 262, O.S.L. 2006 (4 O.S. Supp.
10 2010, Section 46), which relates to dangerous dogs;
11 modifying regulation provision; directing entity to
12 adopt rules for collection of certain information;
13 specifying information to be collected; stating
14 entities that data shall be collected from; providing
15 for codification; providing for noncodification; and
16 providing an effective date.

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

18 SECTION 1. NEW LAW A new section of law not to be
19 codified in the Oklahoma Statutes reads as follows:

20 Sections 1 through 3 of this act shall be known and may be cited
21 as "Cody's Law".

22 SECTION 2. AMENDATORY 4 O.S. 2001, Section 46, as
23 amended by Section 4, Chapter 262, O.S.L. 2006 (4 O.S. Supp. 2010,
24 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 as defined by

1 Section 44 of this title, unless the dog is muzzled and restrained
2 by a substantial chain or leash and remains under the physical
3 restraint of a responsible person over sixteen (16) years of age.
4 The muzzle shall be made in a manner that will not cause injury to
5 the dog or interfere with its vision or respiration but shall
6 prevent it from biting any person or animal.

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

12 C. Dogs shall not be declared dangerous if the threat, injury,
13 or damage was sustained by a person who, at the time, was committing
14 a willful trespass or other tort upon the premises occupied by the
15 owner of the dog, or was tormenting, abusing, or assaulting the dog
16 or has, in the past, been observed or reported to have tormented,
17 abused, or assaulted the dog or was committing or attempting to
18 commit a crime.

19 SECTION 3. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 1-508.1 of Title 63, unless
21 there is created a duplication in numbering, reads as follows:

22 The State Board of Health shall adopt such rules as it deems
23 necessary for the collection of information on the number of animal
24 attacks on humans. The information shall include the type or breed

1 of animal, whether the animal is domesticated or wild, and the
2 seriousness of the attack. The State Board of Health shall collect
3 data from county health departments, hospitals, and law enforcement
4 agencies.

5 SECTION 4. This act shall become effective November 1, 2011.

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