

REFERENCE TITLE: vicious animals; attacks

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HB 2257

Introduced by
Representatives Lujan, Kirkpatrick, Sinema: Gallardo, Garcia M

AN ACT

AMENDING SECTION 13-1208, ARIZONA REVISED STATUTES; RELATING TO VICIOUS ANIMALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 13-1208, Arizona Revised Statutes, is amended to
3 read:
4 13-1208. Assault; vicious animals; classification; exception;
5 definitions
6 A. A person who owns a dog that the owner knows or has reason to know
7 has a propensity to attack, to cause injury or to otherwise endanger the
8 safety of human beings OR DOMESTIC OR PET ANIMALS without provocation or that
9 has been found to be a vicious animal by a court of competent jurisdiction
10 and that bites, inflicts physical injury on or attacks a human being OR A
11 DOMESTIC OR PET ANIMAL while at large is guilty of a class 1 misdemeanor,
12 EXCEPT THAT A SECOND OR SUBSEQUENT VIOLATION OF THIS SECTION IS A CLASS 6
13 FELONY.
14 B. A person who owns a dog that the owner knows or has reason to know
15 has a propensity to attack, to cause injury or to otherwise endanger the
16 safety of human beings OR DOMESTIC OR PET ANIMALS without provocation or that
17 has been found to be a vicious animal and who keeps the dog or vicious animal
18 in an enclosed area or yard outside of a residence or structure on the
19 property shall post a notice indicating the presence of the dog or vicious
20 animal.
21 C. ON CONVICTION OF A VIOLATION OF THIS SECTION, THE COURT SHALL ORDER
22 THE OWNER TO DO BOTH OF THE FOLLOWING TO THE DOG OR VICIOUS ANIMAL THAT
23 ATTACKED, CAUSED INJURY OR OTHERWISE ENDANGERED THE SAFETY OF A HUMAN BEING
24 OR DOMESTIC OR PET ANIMAL AND TO ANY OTHER DOG OR VICIOUS ANIMAL THAT THE
25 PERSON OWNS OR THAT IS OWNED BY ANOTHER PERSON WHO RESIDES IN THE OWNER'S
26 HOUSEHOLD:
27 1. HAVE A MICROCHIP PLACED IN EACH ANIMAL AND MAINTAIN THE
28 REGISTRATION OF EACH MICROCHIP.
29 2. SURGICALLY ALTER EACH ANIMAL TO PREVENT THE ANIMAL FROM
30 PROCREATING.
31 ~~E.~~ D. This section does not apply to dogs that are owned or used by a
32 law enforcement agency and that are used in the performance of police work.
33 E. FOR THE PURPOSES OF THIS SECTION:
34 1. "DOMESTIC OR PET ANIMAL" MEANS AN ANIMAL THAT THE OWNER BOTH:
35 (a) KEEPS AS A PET AND THAT IS OF THE TYPE AND NATURE THAT IS
36 ORDINARILY KEPT AS A HOUSEHOLD PET.
37 (b) AT THE TIME OF THE ATTACK, HAD CONFINED ON A LEASH OR IN AN
38 ENCLOSED AREA OR YARD OUTSIDE THE OWNER'S RESIDENCE OR STRUCTURE ON THE
39 OWNER'S PROPERTY.
40 2. "MICROCHIP" MEANS A DEVICE THAT CONTAINS INFORMATION ABOUT THE
41 ANIMAL AND THE OWNER AND THAT, AT A MINIMUM, ALLOWS LAW ENFORCEMENT TO
42 IDENTIFY THE ANIMAL AND THE OWNER EITHER DIRECTLY OR THROUGH THE MICROCHIP
43 MANUFACTURER OR VENDOR.