

The House Committee on Judiciary Non-civil offers the following substitute to
HB 717:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 4-8-43 of the Official Code of Georgia Annotated, relating to penalties for violations of provisions relative to vicious dog ownership, so as to change provisions relating to criminal penalties for failure to comply with law, resulting in the vicious dog inflicting severe injury or death on a human being; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 4-8-43 of the Official Code of Georgia Annotated, relating to penalties for violations of provisions relative to vicious dog ownership, is amended as follows:

"4-8-43.

(a) The owner of a vicious dog who violates Code Section 4-8-42 shall be guilty of a misdemeanor. In addition to any confinement that might be imposed for a conviction under this subsection, for the second conviction a fine of not less than \$300.00 shall be imposed and for a third or subsequent conviction a fine of not less than \$500.00 shall be imposed.

(b) ~~If an owner who has a previous conviction for a violation of this article knowingly and willfully fails to comply with the provisions of this article, and such failure results in the vicious dog attacking another human being and causing severe injury or death, such owner shall be guilty of a misdemeanor of high and aggravated nature if the owner's vicious dog attacks, bites, causes severe injury, or causes the death of a human being under circumstances constituting another violation of this article~~ felony and, upon conviction, shall be punished by imprisonment for not less than one nor more than three years and a fine of not more than \$20,000.00.

(c) In addition to the penalties for violations under subsection (b) of this Code section, the vicious dog involved shall be immediately confiscated by the dog control officer or by a law enforcement officer or another person authorized by the dog control officer and placed

27 in quarantine for the proper length of time as determined by the county board of health, and
28 thereafter, the vicious dog shall be destroyed in an expeditious and humane manner."

29 **SECTION 2.**

30 This Act shall become effective on July 1, 2012, and shall apply to offenses committed on
31 and after such date.

32 **SECTION 3.**

33 All laws and parts of laws in conflict with this Act are repealed.