

In Beverlee Mc Grath, congratulations!

Assembly Bill No. 110-Assemblyman Ohrenschaal

Baron
Governor

CHAPTER.....

AN ACT relating to crimes; providing that a dog may not be determined to be dangerous or vicious based solely on its breed; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law sets forth the circumstances under which a dog may be deemed dangerous or vicious and provides criminal penalties for a person who knowingly owns or keeps a vicious dog after notice that the dog is vicious or who knowingly transfers ownership of such a vicious dog. (NRS 202.500) This bill: (1) provides that a dog may not be determined to be dangerous or vicious based solely on the breed of the dog; and (2) prohibits a local authority from adopting or enforcing an ordinance or regulation that deems a dog dangerous or vicious based solely on the breed of the dog.

EXPLANATION - Matter in *bolded* italics is new; matter between brackets ~~(inserted material)~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 202.500 is hereby amended to read as follows:

202.500 1. ~~{As used in}~~ *For the purposes of this section, a dog is:*

(a) "Dangerous" if:

(1) It is so declared pursuant to subsection 2; or

(2) Without provocation, on two separate occasions within 18 months, it ~~{behaves}~~ *behaved* menacingly, to a degree that would lead a reasonable person to defend himself or herself against substantial bodily harm, when the dog ~~{is}~~ *was*:

(I) Off the premises of its owner or keeper; or

(II) Not confined in a cage, pen or vehicle.

(b) "Provoked" when it is tormented or subjected to pain.

(c) "Vicious" if:

(1) Without being provoked, it ~~{kills or inflicts}~~ *killed or inflicted* substantial bodily harm upon a human being; or

(2) After its owner or keeper ~~{has}~~ *had* been notified by a law enforcement agency that ~~{it}~~ *the dog* is dangerous, ~~{it continues}~~ *the dog continued* the behavior described in paragraph (a).

2. A dog may be declared dangerous by a law enforcement agency if it is used in the commission of a crime by its owner or keeper.

3. A dog may not be found dangerous or vicious ~~{because}~~ :

(a) *Based solely on the breed of the dog; or*