

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 691*

Short Title: Outlaw Dog Fights.

(Public)

Sponsors: Senators Gulley; Ballance, Ballantine, Cooper, Foxx, Hoyle, Kinnaird, Martin of Guilford, McDaniel, Odom, Rand, Shaw of Cumberland, Weinstein, and Winner.

Referred to: Judiciary.

April 3, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE THE FELONY OFFENSE OF DOG FIGHTING AND
3 BAITING.

4 The General Assembly of North Carolina enacts:

5 Section 1. Article 47 of Chapter 14 of the General Statutes is amended by
6 adding a new section to read:

7 "**§ 14-362.2. Dog fighting and baiting.**

8 (a) A person who instigates, promotes, conducts, is employed at, provides a dog
9 for, allows property under his ownership or control to be used for, or profits from an
10 exhibition featuring the fighting or baiting of a dog is guilty of a Class I felony. A lease
11 of property that is used or is intended to be used for an exhibition featuring the fighting or
12 baiting of a dog is void, and a lessor who knows this use is made or is intended to be
13 made of his property is under a duty to evict the lessee immediately.

14 (b) A person who owns, possesses, or trains a dog with the intent that the dog be
15 used in an exhibition featuring the fighting or baiting of that dog is guilty of a Class I
16 felony.

17 (c) A person who participates as a spectator at an exhibition featuring the fighting
18 or baiting of a dog is guilty of a Class I felony.

1 (d) A person who commits a second or subsequent offense under subsection (a) of
2 this section within three years after being convicted of any offense under this section is
3 guilty of a Class H felony."

4 Section 2. G.S. 14-362.1 reads as rewritten:

5 "**§ 14-362.1. Animal fights, other than cock fights, and animal baiting, fights and**
6 **baiting, other than cock fights, dog fights and dog baiting.**

7 (a) A person who instigates, promotes, conducts, is employed at, provides an
8 animal for, allows property under his ownership or control to be used for, or profits from
9 an exhibition featuring the fighting or baiting of an animal, other than a ~~cock~~, cock or a
10 dog, is guilty of a Class 2 misdemeanor. A lease of property that is used or is intended to
11 be used for an exhibition featuring the fighting or baiting of an animal, other than a ~~cock~~,
12 cock or a dog, is void, and a lessor who knows this use is made or is intended to be made
13 of his property is under a duty to evict the lessee immediately.

14 (b) A person who owns, possesses, or trains an animal, other than a ~~cock~~, cock or a
15 dog, with the intent that the animal be used in an exhibition featuring the fighting or
16 baiting of that animal or any other animal is guilty of a Class 2 misdemeanor.

17 (c) A person who participates as a spectator at an exhibition featuring the fighting
18 or baiting of an animal, other than a ~~cock~~, cock or a dog, is guilty of a Class 2
19 misdemeanor.

20 (d) A person who commits an offense under subsection (a) within three years after
21 being convicted of an offense under this section is guilty of a Class I felony.

22 (e) This section does not prohibit the lawful taking or training of animals under the
23 jurisdiction and regulation of the Wildlife Resources Commission."

24 Section 3. This act becomes effective December 1, 1997, and applies to
25 offenses on or after that date.