

**Sixty-first Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2009**

SENATE BILL NO. 2210
(Senators Nelson, Lyson, Oehlke)
(Representatives Hawken, Pinkerton, Potter)

AN ACT to amend and reenact section 12.1-17-09 of the North Dakota Century Code, relating to the killing or injury of a law enforcement support animal; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 12.1-17-09 of the North Dakota Century Code is amended and reenacted as follows:

12.1-17-09. Killing or injury of ~~certified~~, law enforcement support ~~dog~~ animal - Definition - Penalty.

1. A person is guilty of a class ~~A misdemeanor~~ C felony and is subject to a civil penalty of up to ten thousand dollars if that person willfully and unjustifiably kills, shoots, tortures, torments, beats, kicks, strikes, mutilates, disables, or otherwise injures a ~~certified~~, law enforcement support ~~dog~~ animal.
2. A person is guilty of a class A misdemeanor and is subject to a civil penalty of up to five thousand dollars if that person willfully:
 - a. Harasses, taunts, or provokes a law enforcement support animal;
 - b. Interferes with a law enforcement support animal while the animal is working; or
 - c. Interferes with the individual handling the animal.
3. For purposes of this section, "~~certified~~, law enforcement support ~~dog~~ animal" means any ~~dog~~ animal used by or on behalf of a law enforcement officer in the performance of the officer's functions and duties, including crowd control, corrections, arson investigation, or search and rescue, regardless of whether the ~~dog~~ animal is on or off duty.
4. This section does not apply to a law enforcement officer or a veterinarian who terminates the life of a ~~certified~~, law enforcement support ~~dog~~ animal to relieve the ~~dog~~ animal of undue suffering and pain.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-first Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2210.

Senate Vote: Yeas 45 Nays 0 Absent 2

House Vote: Yeas 77 Nays 15 Absent 2

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2009.

Approved at _____ M. on _____, 2009.

Governor

Filed in this office this _____ day of _____, 2009,

at _____ o'clock _____ M.

Secretary of State