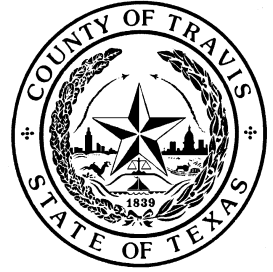




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DANGEROUS DOG INFORMATION SHEET

CHAPTER 822 OF THE TEXAS HEALTH AND SAFETY CODE RELATION TO DANGEROUS DOGS WAS RECENTLY AMENDED BY THE TEXAS LEGISLATURE BY HOUSE BILL 2065. THE STATUTE WAS AMENDED TO ADD SUBCHAPTER (D) WHICH REQUIRES, AMONG OTHER THINGS, THAT LOCAL ANIMAL CONTROL AUTHORITIES ANNUALLY REGISTER DANGEROUS DOGS FOR EVENTS THAT OCCUR AFTER SEPTEMBER 1, 1991.

(1) **“ANIMAL CONTROL AUTHORITY”** MEANS A MUNICIPAL OR COUNTY RABIES CONTROL OFFICER WITH AUTHORITY OVER THE AREA WHERE THE DOG IS KEPT.

(2) **“DANGEROUS DOG”** MEANS A DOG THAT:

- (A) Makes an unprovoked attack on a person that causes bodily injury, and occurs in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its' own: or
- (B) Commits unprovoked acts in a place other than an enclosure which the dog was being kept and that reasonably certain to prevent the dogs from leaving the enclosure on its' own and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to a person.

(3) **REQUIREMENTS FOR DANGEROUS DOG:**

- (A) Not later than the 30th day after a person learns that the person is the owner of a dangerous dog, the person shall:
 - (1) Register the dog annually as a Dangerous Dog with the local Animal Control Authority and pay a registration fee of \$50.00.
 - (2) Restrain the dog at all times on a leash in the immediate control of a person or in secure enclosure.
 - (3) Obtain liability insurance coverage or show financial responsibility in an amount of at least \$100,000 to cover damages resulting from an attack by the dangerous dog causing bodily injury to a person.
 - (4) Submit proof of the dog's current rabies vaccination.
 - (5) Attach the issued dangerous dog tag to the dogs collar or harness and insure that the tag is worn at all times.
 - (6) Inform the local Animal Control Authority if the dangerous dog is sold or moved to a new address within 14 days of the sale or move of the dog. The new owner of the dangerous dog can register the dog by presenting the prior registration and remitting a \$25.00 fee to the Animal Control Authority.
 - (7) Inform the Animal Control Authority office of any attacks on people by the dangerous dog.

- (B) The owner of a dangerous dog who does not comply with subsection (A) shall deliver the dog to the Animal Control Authority not later than the 30th day after the owner learns that the dog is a dangerous dog.

(4) DETERMINATION THAT A DOG IS DANGEROUS:

- (A) If a person reports an incident described by section 822.041(2), the Animal Control Authority may investigate the incident if, after receiving the sworn statements of any witness, the Animal Control Authority determines the dog is a dangerous dog, it shall notify the owner of the fact.
- (B) An owner, no later than the 15th day after the owner is notified that a Dog owned by the owner is a dangerous dog, may appeal the determination of the Animal Control Authority to a justice, county, or municipal court.

(5) ATTACK BY A DANGEROUS DOG:

- (A) A person commits an offense if the person is the owner of a dangerous dog and the dog makes an unprovoked attack on another person outside the dog's enclosure and causes bodily injury to the other person.
- (B) An offense under this section is a Class C misdemeanor, unless the attack causes serious bodily injury or death, in which event the offense is a Class, A misdemeanor.
- (C) If a person is found guilty of an offense under this section, the court may order the dangerous dog destroyed by a person listed in section 822.004.
- (D) In addition to the criminal prosecution, a person who commits an offense under this section is liable for a civil penalty not to exceed \$10,000.

(6) A SECURE ENCLOSURE FOR A DANGEROUS DOG IS ONE THAT:

- (A) Is a fence area or a structure that is:
- (1) Locked
 - (2) Capable of preventing the entry of the general public including Children.
 - (3) Capable of preventing the escape or release of a dog.
 - (4) Clearly marked as containing a dangerous dog.
 - (5) Has been inspected and approved by a representatives of the local Animal Control Authority.

DEFINITIONS:

- (A) **UNPROVOKED ATTACK:** An attempt by a dog to inflict bodily injury on a person in a situation which the dog was not hit, kicked, or struck by the person with an object or a part of the person's body nor was any part of the dog's body pulled, pinched, or squeezed by the person, nor was the dog taunted or teased by the person. Consideration will be given to weather the person was in the dog's territory on the property of the dog's owner at the time of the attack (e.g. When the dog is confined to the owners property by rope or chain, or when a dog is defending its young on the property of its owner). If at the time of the unprovoked attack the person was in the dogs territory and the dog was confined then any attack will not be deemed an unprovoked attack.
- (B) **BODILY INJURY:** physical pain, illness or any impairment of physical condition.