

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 380

S.P. 124

January 25, 2007

An Act To Protect the Public from Dangerous Dogs

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator NUTTING of Androscoggin.
Cosponsored by Representative MAREAN of Hollis and
Senator: SHERMAN of Aroostook, Representative: PIEH of Bremen.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 7 MRSA §3952, sub-§1, ¶A,** as amended by PL 1999, c. 350, §2, is
3 further amended to read:

4 A. Order the dog ~~muzzled, restrained, confined to the premises of its owner or~~
5 ~~keeper or~~ confined in a secure enclosure. ~~The court may set standards for that~~
6 ~~enclosure~~ For the purposes of this paragraph, "secure enclosure" means a fence or
7 structure of at least six feet in height forming or making an enclosure suitable to
8 prevent the entry of young children and suitable to confine a dangerous dog in
9 conjunction with other measures that may be taken by the owner or keeper, such as
10 tethering of the dangerous dog. The secure enclosure must be locked, be designed
11 with secure sides, top and bottom and be designed to prevent the animal from
12 escaping from the enclosure; or

13 **Sec. 2. 7 MRSA §3952, sub-§7,** as enacted by PL 1999, c. 350, §2, is amended to
14 read:

15 **7. Class D crime.** If the owner refuses or neglects to comply with an order issued
16 under subsection 1 or 4-A, the owner commits a Class D crime. The court, as part of the
17 judgment, may prohibit a person convicted under this subsection from owning or
18 possessing a dog or having a dog on that person's premises for a period of time. The
19 prohibition may be permanent.

20 **SUMMARY**

21 This bill establishes standards for a secure enclosure in which to confine a dangerous
22 dog. It also allows the court to prohibit a person convicted of violating a court order
23 pertaining to a dangerous dog from possessing or keeping a dog.