

**PUBLIC CHAPTER NO. 533****SENATE BILL NO. 140****By Jackson, Ketron, Kyle, Flinn, Wilder, Woodson, Stanley, Bunch, Kurita****Substituted for: House Bill No. 107****By Shepard, Fraley, Favors, Hardaway**

AN ACT to amend Tennessee Code Annotated, Title 44, Chapter 8, Part 4, relative to the punishment for allowing certain dogs to run at large.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 44-8-409, is amended by deleting the section in its entirety and substituting instead the following:

(a) A violation of § 44-8-408, shall be punished as provided in subsection (b) if the violation involves:

(1) A dog that was trained to fight, attack or kill or had been used to fight; or

(2) The owner of the dog violating § 44-8-408, knew of the dangerous nature of the dog and, prior to the violation of § 44-8-408, the dog had bitten one (1) or more people that resulted in serious bodily injury or death; or

(b) A violation of § 44-8-408, where one (1) or more of the factors set out in subsection (a) are present shall be punished as follows:

(1) A Class C misdemeanor if the dog running at large does not cause property damage, injury or death;

(2) A Class A misdemeanor if the dog running at large causes damage to the property of another;

(3) A Class E felony if the dog running at large causes bodily injury to another;

(4) A Class D felony if the dog running at large causes serious bodily injury to another;

(5) A Class C felony if the dog running at large causes the death of another.

SECTION 2. This act shall take effect July 1, 2007, the public welfare requiring it.

PASSED: June 12, 2007



RON RAMSEY  
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 27th day of June 2007



PHIL BREDESEN, GOVERNOR