

SENATE BILL 2738

By Kilby

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 14, relative to pit bull dogs.

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

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 14, Part 2, is amended by adding the following new section thereto:

§ 39-14-215.

(a) As used in this section, unless the context otherwise requires:

(1) "Own" means to harbor, keep or exercise control over the dog, and "owner" means a person who, at the time of the offense, regularly harbors, keeps or exercises control over the dog;

(2) "Pit bull dog" means any pit bull terrier; and

(3) "Pit bull terrier" means any American pit bull terrier, Staffordshire bull terrier, American bulldog or American Staffordshire terrier breed of dog or any mixed breed of dog which contains as fifty percent (50%) of its breeding the breed of American pit bull terrier, Staffordshire bull terrier, American bulldog or American Staffordshire terrier, so as to be identifiable as partially of the breed American pit bull terrier, Staffordshire bull terrier, American bulldog or American Staffordshire terrier.

(b) It is an offense for any person to knowingly own a pit bull dog in this state.

(c) A violation of this section is a Class A misdemeanor.

(d) In addition to the penalty imposed in subsection (c), the court making the sentencing determination for a person convicted under this section shall order the person convicted to surrender custody and forfeit the pit bull dog or pit bull dogs if the

person convicted is the owner of the pit bull dog or dogs. Custody shall be given to a humane society incorporated under the laws of this state.

(e) Nothing in this section shall be construed to prohibit prosecution under any other provision of law.

SECTION 2. This act shall take effect July 1, 2008, the public welfare requiring it.