

**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