

HOUSE BILL 1884

By Turner J

AN ACT to amend Tennessee Code Annotated, Title 39,  
Chapter 14, Part 2, relative to abandonment of  
animals.

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

SECTION 1. Tennessee Code Annotated, Section 39-14-202, is amended by adding a new subsection thereto, as follows:

(h)(1) Any person or entity, including a landlord or the holder of a mortgage or deed of trust, who discovers an abandoned animal on the person's or entity's real property that has been vacated due to termination of a lease or other rental agreement, foreclosure or some other cause, shall notify immediately a public or private animal control entity, animal shelter or other facility operated for the collection, care or euthanasia of stray, neglected, abandoned or unwanted non-livestock animals. The person or entity shall not be civilly or criminally liable for notifying such animal control entity or animal shelter.

(2)

(A) A person violating this subsection (h) shall, upon conviction thereof, be guilty of a Class C misdemeanor and shall be subject to a fine only of not more than fifty dollars (\$50.00).

(B) For conviction on the second offense, a fine of not less than two hundred dollars (\$200) shall be imposed.

(C) For the third and subsequent convictions there shall be imposed a fine of not less than five hundred dollars (\$500).

(3) Any person convicted of an initial or subsequent offense shall be advised, in writing, of the penalty for second and subsequent convictions, and, in addition, when pronouncing sentence the judge shall advise the defendant of the penalties for additional offenses.

(4) For purposes of this section, a person convicted of a violation of subdivision (h)(1) shall not be considered a repeat or multiple offender if ten (10) or more years have elapsed between the conviction and any immediately preceding conviction for a violation.

SECTION 2. This act shall take effect July 1, 2009, the public welfare requiring it.