

**Public Safety Animal Amendments**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jen Plumb**

House Sponsor: Jefferson S. Burton

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**LONG TITLE**

**General Description:**

This bill amends provisions relating to public safety animals.

**Highlighted Provisions:**

This bill:

- defines terms;
- expands and clarifies criminal provisions relating to police service canines to include

other animals used by public safety organizations to assist with duties related to public safety; and

- adds a coordination clause to merge the changes to Section 76-9-306 in this bill, if this bill and H.B. 21, Criminal Code Recodification and Cross References, both pass and become law, due to Section 76-9-306 being renumbered and split into two separate sections in H.B. 21.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a coordination clause.

**Utah Code Sections Affected:**

AMENDS:

**76-9-306**, as last amended by Laws of Utah 2018, Chapter 264

**Utah Code Sections affected by Coordination Clause:**

**76-9-306**, as last amended by Laws of Utah 2018, Chapter 264

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*Be it enacted by the Legislature of the state of Utah:*

*The following section is affected by a coordination clause at the end of this bill.*

Section 1. Section **76-9-306** is amended to read:

**76-9-306 . Public safety animals -- Causing injury, death, or interference --****Penalties.**

(1) As used in this section:

~~[(a) "Handler" means a law enforcement officer who is specially trained, and uses a police service canine during the course of the performance of his law enforcement duties:]~~

~~[(b) "Police service canine" means any dog used by a law enforcement agency, which is specially trained for law enforcement work, or any animal contracted to assist a law enforcement agency in the performance of law enforcement duties:]~~

(a) "Handler" means an individual who uses a public safety animal to assist with duties of a public safety organization.

(b) "Public safety animal" means an animal that a public safety organization:

(i) owns or uses under contract; and

(ii) uses, or allows another public safety organization to use, to assist with duties of a public safety organization.

(c) "Public safety organization" means a government entity that provides a law enforcement, firefighting, search and rescue, military, or other public safety service.

(2) It is a second degree felony for a person to intentionally or knowingly cause death to a ~~[ police service canine]~~ public safety animal.

(3) It is a third degree felony for a person to intentionally or knowingly:

(a) cause bodily injury to a ~~[police service canine]~~ public safety animal;

(b) engage in conduct likely to cause bodily injury or death to ~~[a police service canine]~~ a public safety animal; or

(c) lay out, place, or administer any poison, trap, substance, or object which is likely to produce bodily injury or death to a ~~[police service canine]~~ public safety animal.

(4) It is a class A misdemeanor for a person to intentionally or knowingly:

(a) taunt, torment, strike, or otherwise assault a ~~[police service canine]~~ public safety animal;

(b) throw any object or substance at, or in the path of, a ~~[police service canine]~~ public safety animal;

(c) interfere with or obstruct a ~~[police service canine]~~ public safety animal, or attempt to, or interfere with the handler of ~~[the canine]~~ a public safety animal in a manner that inhibits, restricts, or deprives the handler of control of the ~~[canine]~~ public safety animal;

(d) release a ~~[police service canine]~~ public safety animal from its area of control, such as a vehicle, kennel, or pen, or trespass in that area; or

(e) place any food, object, or substance into a ~~[police service canine's]~~ public safety animal's area of control without the permission of the handler.

(5)(a) A ~~[police service canine]~~ public safety animal is exempt from quarantine or other animal control ordinances if [it] the public safety animal bites any ~~[person]~~ individual while under proper ~~[police-]~~supervision by a public safety organization or during routine veterinary care.[–]

(b) The ~~[law enforcement agency]~~ public safety organization and the ~~[canine's]~~ public safety animal's handler shall make the ~~[canine]~~ public safety animal available for examination at any reasonable time and shall notify the local health officer if the ~~[canine]~~ public safety animal exhibits any abnormal behavior.

(6) In addition to any other penalty, a person convicted of a violation of this section is liable for restitution to the owning or employing ~~[law enforcement agency]~~ public safety organization or individual owner of the ~~[police service canine]~~ public safety animal for the replacement, training, and veterinary costs incurred as a result of the violation of this section.

## Section 2. **Effective date.**

This bill takes effect on May 7, 2025.

## Section 3. **Coordinating S.B. 77 with H.B. 21.**

If S.B. 77, Public Safety Animal Amendments, and H.B. 21, Criminal Code Recodification and Cross References, both pass and become law, the Legislature intends that, on May 7, 2025:

(1) Section 76-13-209 (renumbered from Section 76-9-306) in H.B. 21 and Section 76-9-306 in S.B. 77 be amended to read:

**"76-13-209. Endangering, injuring, or killing a public safety animal.**

(1) (a) As used in this section:

~~[(a) "Handler" means a law enforcement officer who is specially trained, and uses a police service canine during the course of the performance of his law enforcement duties.]~~

~~[(b) "Police service canine" means any dog used by a law enforcement agency, which is specially trained for law enforcement work, or any animal contracted to assist a law enforcement agency in the performance of law enforcement duties.]~~

(i) "Handler" means an individual who uses a public safety animal to assist with duties of a public safety organization.

(ii) "Public safety animal" means an animal that a public safety organization:

(A) owns or uses under contract; and

(B) uses, or allows another public safety organization to use, to assist with duties of a public safety organization.

(iii) "Public safety organization" means a government entity that provides a law enforcement, firefighting, search and rescue, military, or other public safety service.

(b) Terms defined in Sections 76-1-101.5, 76-13-101, and 76-13-201 apply to this section.

(2) [It is a second degree felony for a person to intentionally or knowingly cause] An actor commits endangering, injuring, or killing a public safety animal if the actor intentionally or knowingly:

(a) causes the death [to] of a [police-service canine.] public safety animal;

(b) causes bodily injury to a public safety animal;

(c) engages in conduct likely to cause bodily injury or death to a public safety animal; or

(d) lays out, places, or administers any poison, trap, substance, or object that is likely to produce bodily injury or death to a public safety animal.

(3) (a) A violation of Subsection (2)(a) is a second degree felony.

(b) A violation of Subsection (2)(b), (c), or (d) is a third degree felony.

~~[(3) It is a third degree felony for a person to intentionally or knowingly:]~~

~~[(a) cause bodily injury to a police-service canine;]~~

~~[(b) engage in conduct likely to cause bodily injury or death to a police-service canine; or]~~

~~[(c) lay out, place, or administer any poison, trap, substance, or object which is likely to produce bodily injury or death to a police-service canine.]~~

~~[(4) It is a class A misdemeanor for a person to intentionally or knowingly:]~~

~~[(a) taunt, torment, strike, or otherwise assault a police-service canine;]~~

~~[(b) throw any object or substance at, or in the path of, a police-service canine;]~~

~~[(c) interfere with or obstruct a police-service canine, or attempt to, or interfere with the handler of the canine in a manner that inhibits, restricts, or deprives the handler of control of the canine;]~~

~~[(d) release a police-service canine from its area of control, such as a vehicle, kennel, or pen, or trespass in that area; or]~~

~~[(e) place any food, object, or substance into a police-service canine's area of control without the permission of the handler.]~~

~~[(5)]~~ (4)(a) A [police-service canine] public safety animal is exempt from quarantine or other animal control ordinances if [it] the public safety animal bites [any person] an individual

while under proper ~~[police-]~~supervision by a public safety organization or during routine veterinary care.

(b) The ~~[law-enforcement agency]~~ public safety organization and the ~~[canine's]~~ public safety animal's handler shall make the ~~[canine]~~ public safety animal available for examination at [any] a reasonable time and shall notify the local health officer if the ~~[canine]~~ public safety animal exhibits any abnormal behavior.

~~[(6)]~~ (5) In addition to any other penalty, ~~[a person]~~ an actor convicted of a violation of this section is liable for restitution to the owning or employing ~~[law-enforcement agency]~~ public safety organization or individual owner of the ~~[police-service-canine]~~ public safety animal for the replacement, training, and veterinary costs incurred as a result of the violation of this section."; and

(2) Section 76-13-210, enacted in H.B. 21, be amended to read:

**"76-13-210. Interference with a public safety animal.**

(1)(a) As used in this section:

(i) "Handler" means the same as that term is defined in Section 76-13-209.

(ii) "Public safety animal" means the same as that term is defined in Section 76-13-209.

(iii) "Public safety organization" means the same as that term is defined in Section 76-13-209.

(b) Terms defined in Sections 76-1-101.5, 76-13-101, and 76-13-201 apply to this section.

(2) An actor commits interference with a public safety animal if the actor intentionally or knowingly:

(a) taunts, torments, strikes, or otherwise assaults a public safety animal;

(b) throws an object or substance at, or in the path of, a public safety animal;

(c) interferes with or obstructs a public safety animal, or attempts to, or interferes with the handler of the public safety animal in a manner that inhibits, restricts, or deprives the handler of control of the public safety animal;

(d) releases a public safety animal from the public safety animal's area of control, including a vehicle, kennel, or pen, or trespasses in that area; or

(e) places any food, object, or substance into a public safety animal's area of control without the permission of the handler.

(3) A violation of Subsection (2) is a class A misdemeanor.

(4) In addition to any other penalty, an actor convicted of a violation of this section is liable for restitution to the owning or employing public safety organization or individual owner of the public safety animal for the replacement, training, and veterinary costs incurred as a result

\_ 165      of the violation of this section.".