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**Dog Attack Amendments**  
 2026 GENERAL SESSION  
 STATE OF UTAH  
**Chief Sponsor: Jason E. Thompson**  
 Senate Sponsor:

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**LONG TITLE**

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**General Description:**

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This bill addresses provisions related to injuries from dog attacks.

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**Highlighted Provisions:**

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This bill:

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▸ establishes that an individual injured in a dog attack may bring a claim for damages

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within four years of the injury;

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▸ raises the maximum award from \$50,000 to \$75,000 in arbitration and at trial for a bodily

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injury claim resulting from a dog attack, not including certain costs; and

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▸ makes technical and conforming changes.

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**Money Appropriated in this Bill:**

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None

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**Other Special Clauses:**

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None

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**Utah Code Sections Affected:**

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AMENDS:

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**18-1-1**, as last amended by Laws of Utah 2025, Chapter 311

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**18-1-4**, as last amended by Laws of Utah 2024, Chapter 158

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**78B-2-307**, as last amended by Laws of Utah 2023, Chapter 185

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

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Section 1. Section **18-1-1** is amended to read:

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**18-1-1 . Liability and damages for dog injury -- Exceptions.**

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(1)(a) Except as provided in Subsections (2) and (3), an individual who owns or keeps a

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dog is liable for an injury caused by the dog, regardless of whether:

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(i) the dog is vicious or mischievous; or

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(ii) the owner knows the dog is vicious or mischievous.

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(b) Damages for an injury described in Subsection (1)(a) shall be determined in

31 accordance with Section 78B-5-818.

32 (c) An individual may bring a claim for damages resulting from an injury caused by a  
 33 dog under this section no later than four years after the day on which the injury  
 34 occurs, in accordance with Section 78B-2-307.

35 (2) Neither the state nor any county, city, or town in the state nor any peace officer  
 36 employed by the state, a county, a city, or a town is liable in damages for an injury  
 37 caused by a dog, if:

38 (a) the dog and the dog's law enforcement handler are trained to assist in law  
 39 enforcement and are certified according to the standards adopted in Title 53, Chapter  
 40 6, Part 4, Law Enforcement Canine Team Certification Act;

41 (b) the governmental agency has adopted a written policy on the necessary and  
 42 appropriate use of dogs in official law enforcement duties;

43 (c) the actions of the dog's handler do not violate the agency's written policy; and

44 (d) the injury occurs while the dog is reasonably and carefully being used in the  
 45 apprehension, arrest, or location of a suspected offender or in maintaining or  
 46 controlling the public order.

47 (3) An individual who owns or keeps a dog is not liable for an injury or death caused by the  
 48 dog if:

49 (a)(i) the injury or death is to another animal;

50 (ii) the injury or death occurs:

51 (A) on the individual's private property; and

52 (B) while the dog is reasonably secured within a fence or other enclosure; and

53 (iii) the animal described in Subsection (3)(a) entered the individual's private  
 54 property without consent; or

55 (b)(i) the injury or death is to a trespasser who is in violation of Subsection  
 56 76-6-206(2); and

57 (ii) the injury or death occurs:

58 (A) on the individual's private property; and

59 (B) while the dog is reasonably secured within a fence or other enclosure.

60 Section 2. Section **18-1-4** is amended to read:

61 **18-1-4 . Use of arbitration in personal injury from dog attack cases.**

62 (1) A person injured as a result of a dog attack may elect to submit all third party bodily  
 63 injury claims to arbitration by filing a notice of the submission of the claim to binding  
 64 arbitration in a court if:

- 65 (a) the claimant or the claimant's representative has:
- 66 (i) previously and timely filed a complaint in a court that includes a third party bodily
- 67 injury claim; and
- 68 (ii) filed a notice to submit the claim to arbitration within 14 days after the complaint
- 69 has been answered; and
- 70 (b) the notice required under Subsection (1)(a)(ii) is filed while the action under
- 71 Subsection (1)(a)(i) is still pending.
- 72 (2)(a) [Hf] Except for a wrongful death action described in Section 78B-3-106, if a party
- 73 submits a bodily injury claim to arbitration under Subsection (1), the party submitting
- 74 the claim or the party's representative is limited to an arbitration award that may not
- 75 exceed [~~\$50,000~~] \$75,000 in addition to any medical premise benefits and any claim
- 76 for property damage.
- 77 (b) A party who elects to proceed against a defendant under this section:
- 78 (i) waives the right to obtain a judgment against the personal assets of the defendant;
- 79 and
- 80 (ii) is limited to recovery only against available limits of insurance coverage.
- 81 (3) A claim for punitive damages may not be made in an arbitration proceeding under
- 82 Subsection (1) or any subsequent proceeding, even if the claim is later resolved through
- 83 a trial de novo under Subsection (11).
- 84 (4)(a) A party who has elected arbitration under this section may rescind the party's
- 85 election if the rescission is made within:
- 86 (i) 90 days after the election to arbitrate; and
- 87 (ii) no less than 30 days before any scheduled arbitration hearing.
- 88 (b) A party seeking to rescind an election to arbitrate under this Subsection (4) shall:
- 89 (i) file a notice of the rescission of the election to arbitrate with the court in which the
- 90 matter was filed; and
- 91 (ii) send copies of the notice of the rescission of the election to arbitrate to all counsel
- 92 of record to the action.
- 93 (c) All discovery completed in anticipation of the arbitration hearing shall be available
- 94 for use by the parties as allowed by the Utah Rules of Civil Procedure and the Utah
- 95 Rules of Evidence.
- 96 (d) A party who has elected to arbitrate under this section and then rescinded the
- 97 election to arbitrate under this Subsection (4) may not elect to arbitrate the claim
- 98 under this section again.

- 99 (5)(a) Unless otherwise agreed to by the parties or by order of the court, an arbitration  
100 process elected under this section is subject to Rule 26, Utah Rules of Civil  
101 Procedure.
- 102 (b) Unless otherwise agreed to by the parties or ordered by the court, discovery shall be  
103 completed within 150 days after the date arbitration is elected under this section or  
104 the date the answer is filed, whichever is longer.
- 105 (6)(a) Unless otherwise agreed to in writing by the parties, a claim that is submitted to  
106 arbitration under this section shall be resolved by a single arbitrator.
- 107 (b) Unless otherwise agreed to by the parties or ordered by the court, all parties shall  
108 agree on the single arbitrator selected under Subsection (6)(a) within 90 days of the  
109 answer of the defendant.
- 110 (c) If the parties are unable to agree on a single arbitrator as required under Subsection  
111 (6)(b), the parties shall select a panel of three arbitrators.
- 112 (d) If the parties select a panel of three arbitrators under Subsection (6)(c):
- 113 (i) each side shall select one arbitrator; and
- 114 (ii) the arbitrators selected under Subsection (6)(d)(i) shall select one additional  
115 arbitrator to be included in the panel.
- 116 (7) Unless otherwise agreed to in writing:
- 117 (a) each party shall pay an equal share of the fees and costs of the arbitrator selected  
118 under Subsection (6)(a); and
- 119 (b) if an arbitration panel is selected under Subsection (6)(d):
- 120 (i) each party shall pay the fees and costs of the arbitrator selected by that party's  
121 side; and
- 122 (ii) each party shall pay an equal share of the fees and costs of the arbitrator selected  
123 under Subsection (6)(d)(ii).
- 124 (8) Except as otherwise provided in this section and unless otherwise agreed to in writing  
125 by the parties, an arbitration proceeding conducted under this section shall be governed  
126 by Title 78B, Chapter 11, Utah Uniform Arbitration Act.
- 127 (9)(a) Subject to the provisions of this section, the Utah Rules of Civil Procedure and the  
128 Utah Rules of Evidence apply to the arbitration proceeding.
- 129 (b) The Utah Rules of Civil Procedure and the Utah Rules of Evidence shall be applied  
130 liberally with the intent of concluding the claim in a timely and cost-efficient manner.
- 131 (c) Discovery shall be conducted in accordance with the Utah Rules of Civil Procedure  
132 and shall be subject to the jurisdiction of the court in which the matter is filed.

- 133 (d) Dispositive motions shall be filed, heard, and decided by the court prior to the  
134 arbitration proceeding in accordance with the court's scheduling order.
- 135 (10) A written decision by a single arbitrator or by a majority of the arbitration panel shall  
136 constitute a final decision.
- 137 (11) An arbitration award issued under this section shall be the final resolution of all bodily  
138 injury claims between the parties and may be reduced to judgment by the court upon  
139 motion and notice unless:
- 140 (a) either party, within 20 days after service of the arbitration award:
- 141 (i) files a notice requesting a trial de novo in the court; and  
142 (ii) serves the nonmoving party with a copy of the notice requesting a trial de novo  
143 under Subsection (11)(a)(i); or
- 144 (b) the arbitration award has been satisfied.
- 145 (12)(a) Upon filing a notice requesting a trial de novo under Subsection (11):
- 146 (i) unless otherwise stipulated to by the parties or ordered by the court, an additional  
147 90 days shall be allowed for further discovery;
- 148 (ii) the additional discovery time under Subsection (12)(a)(i) shall run from the notice  
149 of appeal; and
- 150 (iii) the claim shall proceed through litigation [~~pursuant to~~] in accordance with the  
151 Utah Rules of Civil Procedure and the Utah Rules of Evidence in the court.
- 152 (b) In accordance with the Utah Rules of Civil Procedure, either party may request a jury  
153 trial with a request for trial de novo filed under Subsection (11).
- 154 (13)(a) If the plaintiff, as the moving party in a trial de novo requested under Subsection  
155 (11), does not obtain a verdict that is at least \$5,000 and is at least 30% greater than  
156 the arbitration award, the plaintiff is responsible for all of the nonmoving party's  
157 costs.
- 158 (b) Except as provided in Subsection (13)(c), the costs under Subsection (13)(a) shall  
159 include:
- 160 (i) any costs set forth in Rule 54(d), Utah Rules of Civil Procedure; and  
161 (ii) the costs of expert witnesses and depositions.
- 162 (c) An award of costs under this Subsection (13) may not exceed \$6,000.
- 163 (14)(a) If a defendant, as the moving party in a trial de novo requested under Subsection  
164 (11), does not obtain a verdict that is at least 30% less than the arbitration award, the  
165 defendant is responsible for all of the nonmoving party's costs.
- 166 (b) Except as provided in Subsection (14)(c), the costs under Subsection (14)(a) shall

- 167 include:
- 168 (i) any costs set forth in Rule 54(d), Utah Rules of Civil Procedure; and
- 169 (ii) the costs of expert witnesses and depositions.
- 170 (c) An award of costs under this Subsection (14) may not exceed \$6,000.
- 171 (15) For purposes of determining whether a party's verdict is greater or less than the
- 172 arbitration award under Subsections (13) and (14), a court may not consider any
- 173 recovery or other relief granted on a claim for damages if the claim for damages was not
- 174 disclosed in:
- 175 (a) writing prior to the arbitration proceeding; or
- 176 (b) response to discovery contrary to the Utah Rules of Civil Procedure.
- 177 (16) If a court determines, upon a motion of the nonmoving party, that the moving party's
- 178 use of the trial de novo process was filed in bad faith, as described in Section 78B-5-825,
- 179 the court may award reasonable attorney fees to the nonmoving party.
- 180 (17) Nothing in this section is intended to affect or prevent any first party claim from later
- 181 being brought under any first party insurance policy under which the injured person is a
- 182 covered person.
- 183 (18)(a) If a defendant requests a trial de novo under Subsection (11), the total verdict at
- 184 trial may not exceed \$15,000 above any available limits of insurance coverage[~~and~~
- 185 ~~the total verdict may not exceed \$65,000].~~
- 186 (b) [~~Hf~~] Except for a wrongful death action described in Section 78B-3-106, if a plaintiff
- 187 requests a trial de novo under Subsection (11), the verdict at trial may not exceed [
- 188 \$50,000] \$75,000.
- 189 (c) The costs described in Subsections (13) and (14) are not included in a verdict amount
- 190 described in Subsection (18)(a) or (b).
- 191 (19) All arbitration awards issued under this section shall bear postjudgment interest [~~pursuant to~~]
- 192 in accordance with Section 15-1-4.
- 193 Section 3. Section **78B-2-307** is amended to read:
- 194 **78B-2-307 . Within four years.**
- 195 An action may be brought within four years:
- 196 (1) after the last charge is made or the last payment is received:
- 197 (a) upon a contract, obligation, or liability not founded upon an instrument in writing;
- 198 (b) on an open store account for any goods, wares, or merchandise; or
- 199 (c) on an open account for work, labor or services rendered, or materials furnished;
- 200 (2) for a claim for relief or a cause of action under the following sections of Title 25,

- 201 Chapter 6, Uniform Voidable Transactions Act:
- 202 (a) Subsection 25-6-202(1)(a), except in specific situations where the time for action is
- 203 limited to one year under Section 25-6-305;
- 204 (b) Subsection 25-6-202(1)(b); or
- 205 (c) Subsection 25-6-203(1);
- 206 (3) for a claim involving personal property damage to the aggrieved party's motor vehicle,
- 207 as defined in Section 41-6a-102, or personal property from an accident involving a
- 208 motor vehicle;[~~and~~]
- 209 (4) for a claim resulting from an injury caused by a dog described in Section 18-1-1; and
- 210 [~~(4)~~] (5) for relief not otherwise provided for by law.
- 211 Section 4. **Effective Date.**
- 212 This bill takes effect on May 6, 2026.