

**Support A Bill to Protect the Property Rights of Utah Dog Owners,  
Enhance Public Safety & Save Tax Dollars  
Sponsored by Rep. Brian King**

**The Problem** - Currently in Utah, any city or county can pass laws arbitrarily banning citizens from owning any breed or mixed breed of pet dog. Most of these ill-conceived laws were enacted more than 20 years ago and remain in place in only a handful of Utah's cities. Many of the current local ordinances lack due process protections. Some even violate the service dog provision of the Americans with Disabilities Act (ADA).

**The Trend** - Seventeen states have passed similar bills, which protect property rights by prohibiting breed-discriminatory or breed specific ordinances. Just last year, our neighbor Nevada, and Rhode Island as well as Connecticut enacted similar pieces of legislation. Ohio, the only state that has ever deemed a breed of dog as vicious (in 1987), repealed that ineffectual provision in 2012. Ohio instead enacted a comprehensive breed neutral dangerous dog/reckless owner law focusing on the behavior of the owner and the behavior of the dog. Today in Ohio, dogs are deemed dangerous because of their behavior. The dog owner's behavior is also taken into consideration and convicted felons are not allowed to own unsterilized dogs for three years after incarceration. (Studies have shown that unsterilized male dogs are involved in the majority of dog bites.)

**The Goal** - The bill's goals are to protect property rights and enhance community safety in the most effective and most thorough way possible. Everyone benefits from a safe society – both people and pets.

Instead of punishing innocent dogs for resembling into a certain breed, governments should hold owners accountable and responsible for animals that are actually dangerous. Our state's communities should enact comprehensive dog laws that demand responsible dog ownership and hold reckless owners accountable when their poor decisions wind up getting other dogs or people hurt. Reckless owners should be punished – no exceptions, no excuses. Our communities and abused dogs deserve better. The best safety-focused laws demand that all dog owners restrain and restrict their dogs around other people, regardless of breeds, whether or not those dogs have a history of biting.

Breed discrimination fails because:

- It violates basic property rights;
- It's extremely expensive to enforce; and
- It's ineffective and arbitrary.

Breed-discriminatory laws are a waste of our tax dollars. According to economic firm John Dunham and Associates, if the Beehive State enacted a breed-discriminatory provision targeting pit bull terriers, it would cost the state over 4 million dollars a year to enforce. Similarly, the Platte Institute for Economic Research has determined that pit bull terrier bans are a waste of tax dollars.

These economic experts are correct. Studies done in countries with breed-discriminatory laws such as Germany, Spain, and the United Kingdom, found that these laws didn't reduce the number of dog bites or improve public safety. Indeed, in some areas dog bites actually *increased* after breed discriminatory/specific laws were enacted. Based on scientific studies and concerns about due process and property rights infringement, the National Animal Control Association, the American Bar Association, the American Veterinary Medical Association, and Best Friends Animal Society do not support breed discrimination. They support laws that go after the real problem – the behavior of the individual dog and the behavior of the reckless or negligent owner. Even the American Temperament Test Society has ranked pit bull terriers better than Golden Retrievers or Border Collies.

We all want communities to be protected against dangerous dogs and we want abused dogs to be protected from reckless owners. Ordinances should protect people and pets through a culture of safety, personal responsibility and individual accountability. Utah's local governments should not be allowed to infringe on an individual's property rights.

This is America. Every American who follows the right safety rules as a responsible dog owner should be allowed to own whatever breed of dog he or she chooses. It's that simple.