

Effective 5/7/2025

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

- (1)
 - (a) Except as provided in Subsections (2) and (3), an individual who owns or keeps a dog is liable for an injury caused by the dog, regardless of whether:
 - (i) the dog is vicious or mischievous; or
 - (ii) the owner knows the dog is vicious or mischievous.
 - (b) Damages for an injury described in Subsection (1)(a) shall be determined in accordance with Section 78B-5-818.
- (2) Neither the state nor any county, city, or town in the state nor any peace officer employed by the state, a county, a city, or a town is liable in damages for an injury caused by a dog, if:
 - (a) the dog and the dog's law enforcement handler are trained to assist in law enforcement and are certified according to the standards adopted in Title 53, Chapter 6, Part 4, Law Enforcement Canine Team Certification Act;
 - (b) the governmental agency has adopted a written policy on the necessary and appropriate use of dogs in official law enforcement duties;
 - (c) the actions of the dog's handler do not violate the agency's written policy; and
 - (d) the injury occurs while the dog is reasonably and carefully being used in the apprehension, arrest, or location of a suspected offender or in maintaining or controlling the public order.
- (3) An individual who owns or keeps a dog is not liable for an injury or death caused by the dog if:
 - (a)
 - (i) the injury or death is to another animal;
 - (ii) the injury or death occurs:
 - (A) on the individual's private property; and
 - (B) while the dog is reasonably secured within a fence or other enclosure; and
 - (iii) the animal described in Subsection (3)(a) entered the individual's private property without consent; or
 - (b)
 - (i) the injury or death is to a trespasser who is in violation of Subsection 76-6-206(2); and
 - (ii) the injury or death occurs:
 - (A) on the individual's private property; and
 - (B) while the dog is reasonably secured within a fence or other enclosure.

Amended by Chapter 311, 2025 General Session