

SB0057S01 compared with SB0057

~~text~~ shows text that was in SB0057 but was deleted in SB0057S01.

Inserted text shows text that was not in SB0057 but was inserted into SB0057S01.

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Senator Jani Iwamoto proposes the following substitute bill:

POLICE SERVICE ANIMAL AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jani Iwamoto

House Sponsor: ~~_____~~ V. Lowry Snow

LONG TITLE

General Description:

This bill provides penalties for injuring or killing a police animal.

Highlighted Provisions:

This bill:

- ▶ makes it a second degree felony to intentionally or knowingly cause death to a police service ~~animal~~ canine; and
- ▶ makes it a third degree felony to intentionally or knowingly injure a police service ~~animal~~ canine.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

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Utah Code Sections Affected:

AMENDS:

76-9-306, as last amended by Laws of Utah 2000, Chapter 192

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

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

76-9-306. Police service ~~{animal}~~canine -- Causing injury or interfering with handler -- Penalties.

(1) As used in this section:

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

(b) "Police service ~~[animal]~~canine" means any dog ~~[or horse]~~ 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.

~~⊕~~(2) It is a ~~[third]~~ second degree felony for a person to intentionally~~[-]~~ or knowingly cause death to a police service ~~{animal}~~canine.

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

(a) cause bodily injury ~~[or death]~~ to a police service ~~[animal]~~canine;

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

~~[(d) offer or agree with one or more persons to engage in or cause the performance of an act which constitutes a violation of this section.]~~

~~[(3)]~~ (4) It is a class A misdemeanor for a person to intentionally or knowingly:

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

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

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

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(d) release a police service [animal] 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 [animal's] canine's area of control without the permission of the handler.

~~[(4)]~~ (5) A police service [animal] canine is exempt from quarantine or other animal control ordinances if it bites any person while under proper police supervision or routine veterinary care. The law enforcement agency and the [animal's] canine's handler shall make the [animal] canine available for examination at any reasonable time and shall notify the local health officer if the [animal] canine exhibits any abnormal behavior.

~~[(5)]~~ (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 or individual owner of the police service [animal] canine for the replacement, training, and veterinary costs incurred as a result of the violation of this section.

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Legislative Review Note

Office of Legislative Research and General Counsel