

## SB0182S01 compared with SB0182

~~text~~ shows text that was in SB0182 but was deleted in SB0182S01.

Inserted text shows text that was not in SB0182 but was inserted into SB0182S01.

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Senator Lincoln Fillmore proposes the following substitute bill:

### INJURIES BY DOGS AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Lincoln Fillmore**

House Sponsor: Kim F. Coleman

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#### LONG TITLE

##### General Description:

This bill amends provisions related to injuries by dogs.

##### Highlighted Provisions:

This bill:

- ▶ amends provisions related to the determination of fault when a person seeks damages for an injury caused by a dog; and
- ▶ makes technical and conforming changes.

##### Money Appropriated in this Bill:

None

##### Other Special Clauses:

None

##### Utah Code Sections Affected:

## SB0182S01 compared with SB0182

AMENDS:

**18-1-1**, as last amended by Laws of Utah 2011, Chapter 297

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

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

**18-1-1. Fault for dog injury -- Dogs used in law enforcement.**

~~[(1) Every person owning or keeping a dog is liable in damages for injury committed by the dog, and it is not necessary in the action brought therefor to allege or prove that the dog was of a vicious or mischievous disposition or that the owner or keeper of the dog knew that it was vicious or mischievous.]~~

(1) (a) Except as provided in Subsection (2), if a person seeks damages for an injury caused by a dog, fault shall be determined in accordance with Section 78B-5-818.

(b) A person does not need to prove a dog is vicious or mischievous to seek damages under Subsection (1)(a).

(2) ~~[Notwithstanding Subsection (1), neither]~~ Neither the state nor any county, city, metro township, or town in the state nor any peace officer employed by ~~[any of them]~~ the state, a county, a city, a metro township, or a town shall be liable in damages for injury committed by a dog, if:

(a) the dog has been trained to assist in law enforcement; and

(b) 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.