

## SB0182S02 compared with SB0182S01

~~{deleted text}~~ shows text that was in SB0182S01 but was deleted in SB0182S02.

Inserted text shows text that was not in SB0182S01 but was inserted into SB0182S02.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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 caused by dogs.

##### Highlighted Provisions:

This bill:

- ▶ ~~{amends provisions related to the determination}~~ codifies case law regarding allocation 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:

## SB0182S02 compared with SB0182S01

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}~~Liability and damages 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}~~ who owns or keeps a dog is liable for an injury caused by ~~{a dog, fault}~~ 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.

~~—— (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 an injury ~~[committed]~~ caused 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.