

1 **CANINE INJURY AMENDMENTS**

2 2021 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Steve R. Christiansen**

5 Senate Sponsor: Michael S. Kennedy

6 Cosponsor:

7 Travis M. Seegmiller

8

9 **LONG TITLE**

10 **General Description:**

11 This bill amends provisions related to liability for an injury caused by a dog.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ defines terms;

15 ▶ provides that a person is not liable for an injury or death caused by the person's dog
16 to another animal in certain circumstances; and

17 ▶ makes technical changes.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **18-1-1**, as last amended by Laws of Utah 2019, Chapter 92

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

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

28 **18-1-1. Liability and damages for dog injury -- Exceptions.**

29 (1) (a) Except as provided in [~~Subsection (2)~~] Subsections (2) and (3), a person who
30 owns or keeps a dog is liable for an injury caused by the dog, regardless of whether:

- 31 (i) the dog is vicious or mischievous; or
- 32 (ii) the owner knows the dog is vicious or mischievous.

33 (b) Damages for an injury described in Subsection (1)(a) shall be determined in
34 accordance with Section [78B-5-818](#).

35 (2) Neither the state nor any county, city, metro township, or town in the state nor any
36 peace officer employed by the state, a county, a city, a metro township, or a town shall be liable
37 in damages for an injury caused by a dog, if:

- 38 (a) the dog has been trained to assist in law enforcement; and
- 39 (b) the injury occurs while the dog is reasonably and carefully being used in the
40 apprehension, arrest, or location of a suspected offender or in maintaining or controlling the
41 public order.

42 (3) A person who owns or keeps a dog is not liable for an injury or death caused by the
43 dog if:

- 44 (a) the injury or death is to another animal;
- 45 (b) the injury or death occurs:
 - 46 (i) on the person's private property; and
 - 47 (ii) while the dog is reasonably secured within a fence or other enclosure; and
- 48 (c) the animal described in Subsection (3)(a) entered the person's private property
49 without consent.