

CANINE INJURY AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve R. Christiansen

Senate Sponsor: Michael S. Kennedy

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ provides that a person is not liable for an injury caused by the person's dog to another animal in certain circumstances; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

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

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

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

(1) As used in this section, "injury" means physical injury or death.



28 ~~[(1)]~~ (2) (a) Except as provided in ~~[Subsection (2)]~~ Subsections (3) and (4), a person
29 who owns or keeps a dog is liable for an injury caused by the dog, regardless of whether:

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

32 (b) Damages for an injury described in Subsection ~~[(1)]~~ (2)(a) shall be determined in
33 accordance with Section 78B-5-818.

34 ~~[(2)]~~ (3) Neither the state nor any county, city, metro township, or town in the state nor
35 any peace officer employed by the state, a county, a city, a metro township, or a town shall be
36 liable in damages for an injury caused by a dog, if:

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

41 (4) A person who owns or keeps a dog is not liable for an injury caused by the dog if:

- 42 (a) the injury is to another animal;
- 43 (b) the injury occurs:
 - 44 (i) on the person's private property; and
 - 45 (ii) while the dog is reasonably secured; and
 - 46 (c) the injured animal entered the person's private property without consent.