

# HB0213S01 compared with HB0213

~~text~~ shows text that was in HB0213 but was deleted in HB0213S01.

text shows text that was not in HB0213 but was inserted into HB0213S01.

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Representative Steve R. Christiansen proposes the following substitute bill:

## CANINE INJURY AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Steve R. Christiansen**

Senate Sponsor: \_\_\_\_\_

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### 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 or death 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

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### Utah Code Sections Affected:

AMENDS:

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

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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. Liability and damages for dog injury -- Exceptions.**

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

~~{~~ ~~{(1){(2)}~~ (a) Except as provided in [~~Subsection (2)~~] Subsections ~~(3)2~~ and ~~(4)3~~, a person who owns or keeps a dog is liable for an injury caused by 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){(2)}~~(a) shall be determined in accordance with Section 78B-5-818.

~~{(2){(3)}~~ Neither the state nor any county, city, metro township, or town in the state nor any peace officer employed by the state, a county, a city, a metro township, or a town shall be liable in damages for an injury 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.

~~{(4)3}~~ A person who owns or keeps a dog is not liable for an injury **or death** caused by the dog if:

- (a) the injury **or death** is to another animal;
- (b) the injury **or death** occurs:
  - (i) on the person's private property; and
  - (ii) while the dog is reasonably secured; and

(c) the ~~{injured}~~ animal **described in Subsection (3)(a)** entered the person's private property without consent.