

POLICE SERVICE ANIMAL AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jani Iwamoto

House Sponsor: _____

LONG TITLE

General Description:

This bill provides penalties for injuring or killing a police animal.

Highlighted Provisions:

This bill:

▶ makes it a second degree felony to intentionally or knowingly cause death to a police service animal; and

▶ makes it a third degree felony to intentionally or knowingly injure a police service animal.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-9-306, as last amended by Laws of Utah 2000, Chapter 192

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

Section 1. Section **76-9-306** is amended to read:

76-9-306. Police service animals -- Causing injury or interfering with handler --

Penalties.



28 (1) As used in this section:

29 (a) "Handler" means a law enforcement officer who is specially trained, and uses a
30 police service animal during the course of the performance of his law enforcement duties.

31 (b) "Police service animal" means any dog or horse used by a law enforcement agency,
32 which is specially trained for law enforcement work, or any animal contracted to assist a law
33 enforcement agency in the performance of law enforcement duties.

34 (2) It is a ~~[third]~~ second degree felony for a person to intentionally~~[:]~~ or knowingly
35 cause death to a police service animal.

36 (3) It is a third degree felony for a person to intentionally or knowingly:

37 (a) cause bodily injury ~~[or death]~~ to a police service animal;

38 (b) engage in conduct likely to cause bodily injury or death to a police service animal;

39 or

40 (c) lay out, place, or administer any poison, trap, substance, or object which is likely to
41 produce bodily injury or death to a police service animal~~[:or]~~.

42 ~~[(d) offer or agree with one or more persons to engage in or cause the performance of
43 an act which constitutes a violation of this section.]~~

44 ~~[(3)]~~ (4) It is a class A misdemeanor for a person to intentionally or knowingly:

45 (a) taunt, torment, strike, or otherwise assault a police service animal;

46 (b) throw any object or substance at, or in the path of, a police service animal;

47 (c) interfere with or obstruct a police service animal, or attempt to, or interfere with the
48 handler of the animal in a manner that inhibits, restricts, or deprives the handler of his control
49 of the animal;

50 (d) release a police service animal from its area of control, such as a vehicle, kennel, or
51 pen, or trespass in that area; or

52 (e) place any food, object, or substance into a police service animal's area of control
53 without the permission of the handler.

54 ~~[(4)]~~ (5) A police service animal is exempt from quarantine or other animal control
55 ordinances if it bites any person while under proper police supervision or routine veterinary
56 care. The law enforcement agency and the animal's handler shall make the animal available for
57 examination at any reasonable time and shall notify the local health officer if the animal
58 exhibits any abnormal behavior.

59 [~~5~~] (6) In addition to any other penalty, a person convicted of a violation of this
60 section is liable for restitution to the owning or employing law enforcement agency or
61 individual owner of the police service animal for the replacement, training, and veterinary costs
62 incurred as a result of the violation of this section.

Legislative Review Note
Office of Legislative Research and General Counsel