

DOG RELATED LIABILITY AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lincoln Fillmore

House Sponsor: _____

LONG TITLE

General Description:

This bill addresses liability related to dogs.

Highlighted Provisions:

This bill:

- ▶ clarifies language related to liability for an injury caused by a dog;
- ▶ addresses the period within which a person may bring an action related to an injury caused by a dog; 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 2021, Chapters 201, 257

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 -- Statute of limitation.

(1) (a) Except as provided in Subsections (2) and (3), a person who owns or keeps a



28 dog is liable for an injury caused by the dog, regardless of whether:

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

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

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

36 (a) the dog and the dog's law enforcement handler are trained to assist in law
37 enforcement and are certified according to the standards adopted in Title 53, Chapter 6, Part 4,
38 Law Enforcement Canine Team Certification Act;

39 (b) the governmental agency has adopted a written policy on the necessary and
40 appropriate use of dogs in official law enforcement duties;

41 (c) the actions of the dog's handler do not violate the agency's written policy; and

42 (d) the injury occurs while the dog is reasonably and carefully being used in the
43 apprehension, arrest, or location of a suspected offender or in maintaining or controlling the
44 public order.

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

47 (a) the injury or death is to another animal;

48 (b) the injury or death occurs:

49 (i) on the person's private property; and

50 (ii) while the dog is reasonably secured within a fence or other enclosure; and

51 (c) the animal described in Subsection (3)(a) entered the person's private property
52 without consent.

53 (4) Notwithstanding Title 78B, Chapter 2, Part 3, Other than Real Property, a person
54 may only bring an action under this section against an owner or keeper of a dog within four
55 years after the day on which the event giving rise to the action occurs if the event occurs on or
56 after May 1, 2024.

57 Section 2. **Effective date.**

58 This bill takes effect on May 1, 2024.