



General Assembly

Amendment

February Session, 2018

LCO No. 4763



Offered by:

REP. LEMAR, 96th Dist.

SEN. CASSANO, 4th Dist.

To: House Bill No. 5503

File No. 378

Cal. No. 252

**"AN ACT CONCERNING THE KILLING OR INJURING OF SEEING
EYE DOGS AND ASSISTANCE DOGS."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 22-357 of the 2018 supplement to the general
4 statutes is repealed and the following is substituted in lieu thereof
5 (*Effective from passage*):

6 (a) As used in this section:

7 (1) "Law enforcement officer" means: Each officer, employee or
8 other person otherwise paid by or acting as an agent of (A) the
9 Division of State Police within the Department of Emergency Services
10 and Public Protection; (B) the Office of the State Capitol Police; (C) a
11 municipal police department; and (D) the Department of Correction;

12 (2) "Property" includes, but is not limited to, a companion animal, as
13 defined in section 22-351a; and

14 (3) "The amount of such damage", with respect to a companion
 15 animal, includes expenses of veterinary care, the fair monetary value
 16 of the companion animal, including all training expenses for a guide
 17 dog owned by a blind person or an assistance dog owned by a deaf or
 18 mobility impaired person and burial expenses for the companion
 19 animal.

20 (b) If any dog does any damage to either the body or property of
 21 any person, the owner or keeper, or, if the owner or keeper is a minor,
 22 the parent or guardian of such minor, shall be liable for the amount of
 23 such damage, except when such damage has been occasioned to the
 24 body or property of a person who, at the time such damage was
 25 sustained, was committing a trespass or other tort, or was teasing,
 26 tormenting or abusing such dog. If a minor, on whose behalf an action
 27 under this section is brought, was under seven years of age at the time
 28 such damage was done, it shall be presumed that such minor was not
 29 committing a trespass or other tort, or teasing, tormenting or abusing
 30 such dog, and the burden of proof thereof shall be upon the defendant
 31 in such action. In an action under this section against a household
 32 member of a law enforcement officer to whom has been assigned a dog
 33 owned by a law enforcement agency of the state, any political
 34 subdivision of the state or the federal government for damage done by
 35 such dog, it shall be presumed that such household member is not a
 36 keeper of such dog and the burden of proof shall be upon the plaintiff
 37 to establish that such household member was a keeper of such dog and
 38 had exclusive control of such dog at the time such damage was
 39 sustained."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22-357