

SB0002/402414/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 2  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “certain terms” and substitute “a certain term”.

On page 2, strike beginning with “MEANS” in line 2 down through “INCLUDES” in line 5 and substitute “INCLUDES”; and in line 7, strike “(3)” and substitute “(2)”.

AMENDMENT NO. 2

On page 2, in lines 8 and 10, in each instance, after “SHELTER” insert “, UNIT OF STATE OR LOCAL GOVERNMENT THAT CONDUCTS ANIMAL CONTROL, DOG WALKER, KEEPER OR HARBORER OF A DOG”; and in line 10, after “SHELTERED,” insert “CONTROLLED, WALKED, KEPT, HARBORED,”.

AMENDMENT NO. 3

On page 1, in line 3, after “dog” insert “running at large”; and in line 4, strike “the dog” and substitute “a dog bite”.

On page 2, in line 12, after “(1)” insert “(I) THIS PARAGRAPH APPLIES ONLY TO A PERSONAL INJURY OR DEATH CAUSED BY A BITE FROM A DOG RUNNING AT LARGE.”

(II) THIS PARAGRAPH DOES NOT APPLY TO A GUIDE DOG DESCRIBED UNDER ARTICLE 24, § 11-502 OF THE CODE.

(III)”.

AMENDMENT NO. 4

(Over)

On page 2, strike beginning with “UNLESS” in line 20 down through the second “THE” in line 21 and substitute “THE”.

AMENDMENT NO. 5

On page 2, in line 22, strike “INTENTIONALLY”.

AMENDMENT NO. 6

On page 2, strike beginning with “UNLESS” in line 23 down through the second “THE” in line 24 and substitute “THE”.

AMENDMENT NO. 7

On page 2, in line 25, strike “CRIMINAL TRESPASS OR OTHER”.

AMENDMENT NO. 8

On page 2, in line 26, after “DOG” insert “OR AGAINST THE OWNER OF THE DOG”.

AMENDMENT NO. 9

On page 2, strike in their entirety lines 27 through 31, inclusive, and substitute:

**“(III) THE INJURED OR DECEASED INDIVIDUAL WAS TRESPASSING OR ATTEMPTING TO TRESPASS ON THE REAL PROPERTY OF THE OWNER OF THE DOG;”**.

AMENDMENT NO. 10

On page 3, strike beginning with the colon in line 2 down through “THE” in line 7 and substitute “THE”; in line 10, strike “THE REASONABLE” and substitute “:

**1. REASONABLE**”;

and in the same line, after “FORCE” insert “;OR

**2. TRAINING OR A TRAINING EXERCISE IN SUPPORT OF THE DOG’S DUTIES IN MILITARY OR POLICE WORK;**

**(v) THE INJURED OR DECEASED INDIVIDUAL WAS CONTRIBUTORILY NEGLIGENT;**

**(vi) THE INJURED OR DECEASED INDIVIDUAL ASSUMED THE RISK OF THE DOG CAUSING THE INDIVIDUAL’S PERSONAL INJURY OR DEATH;**

**(vii) THE OWNER OF THE DOG HAS ANY OTHER COMMON LAW OR STATUTORY DEFENSE OR IMMUNITY THAT EXISTED AS OF APRIL 1, 2012, AND THAT WOULD BE AVAILABLE IN ANY OTHER PERSONAL INJURY ACTION OR WRONGFUL DEATH ACTION AGAINST THE OWNER OF A DOG; OR**

**(viii) THE DOG IS IN THE TEMPORARY CUSTODY OR CONTROL OF A VETERINARY HOSPITAL, COMMERCIAL KENNEL, ANIMAL SHELTER, UNIT OF STATE OR LOCAL GOVERNMENT THAT CONDUCTS ANIMAL CONTROL, DOG WALKER, KEEPER OR HARBORER OF THE DOG, OR PET SHOP”.**

**AMENDMENT NO. 11**

On page 3, in line 15, after “LANDLORD,” insert “**CONDOMINIUM ASSOCIATION, HOUSING COOPERATIVE, OR HOMEOWNERS ASSOCIATION**”.

**AMENDMENT NO.12**

On page 3, after line 20, insert:

**“(3) IN AN ACTION AGAINST A PERSON WHO IS NOT AN OWNER OF A DOG FOR DAMAGES FOR PERSONAL INJURY OR DEATH CAUSED BY A DOG, THE COMMON LAW OF LIABILITY RELATING TO ATTACKS BY DOGS AGAINST HUMANS**

(Over)

THAT EXISTED ON APRIL 1, 2012, IS RETAINED AS TO THE PERSON WITHOUT REGARD TO THE BREED OR HERITAGE OF THE DOG.”.

AMENDMENT NO. 13

On page 3, in line 23, strike “OR”; and in line 25, after “IMMUNITY” insert “;OR”

**(3) ANY LAW THAT GOVERNS PROVOCATION, CRIMINAL INTENT, ASSUMPTION OF RISK, OR CONTRIBUTORY NEGLIGENCE”.**

AMENDMENT NO. 14

On page 1, in line 9, after “measure;” insert “providing for the termination of this Act;”.

On page 4, in line 3, after the period insert “It shall remain effective through September 30, 2013, and, at the end of September 30, 2013, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.