

SB0247/493827/1

BY: Senator Zirkin

AMENDMENTS TO SENATE BILL 247  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 14 and 15, in each instance, strike “Personal Injury or Death” and substitute “Injury, Death, or Loss”; in lines 2 and 3, strike “– Rebuttable Presumption”; strike beginning with “certain” in line 4 down through “verdict” in line 7 and substitute “the owner of a dog is liable for injury, death, or loss to person or property caused by the dog; establishing certain exceptions”; in line 10, after “Assembly;” insert “defining a certain term;”; and in line 11, strike “personal injury or death” and substitute “injury, death, or loss”.

AMENDMENT NO. 2

On page 1, in line 21, strike “**PERSONAL INJURY OR DEATH**” and substitute “**INJURY, DEATH, OR LOSS**”.

On page 2, strike in their entirety lines 1 through 8, inclusive, and substitute:

**“(A) (1) IN THIS SECTION, “OWNER OF A DOG” MEANS A PERSON WHO HAS A PROPERTY RIGHT IN A DOG OR WHO KEEPS OR HARBORS A DOG.**

**“(2) “OWNER OF A DOG” DOES NOT INCLUDE A VETERINARY HOSPITAL, A COMMERCIAL KENNEL, AN ANIMAL SHELTER, OR A PET SHOP, OR AN EMPLOYEE OF A VETERINARY HOSPITAL, A COMMERCIAL KENNEL, AN ANIMAL SHELTER, OR A PET SHOP, AS TO A DOG BEING TREATED, BOARDED, SHELTERED, OR OFFERED FOR ADOPTION OR SALE.**

**“(B) (1) THE OWNER OF A DOG IS LIABLE FOR ANY INJURY, DEATH, OR LOSS TO PERSON OR PROPERTY THAT IS CAUSED BY THE DOG, UNLESS THE**

(Over)

INJURY, DEATH, OR LOSS WAS CAUSED TO THE BODY OR PROPERTY OF A PERSON WHO WAS:

(I) COMMITTING OR ATTEMPTING TO COMMIT A TRESPASS OR OTHER CRIMINAL OFFENSE ON THE PROPERTY OF THE OWNER OF THE DOG;

(II) COMMITTING OR ATTEMPTING TO COMMIT A CRIMINAL OFFENSE AGAINST ANY PERSON; OR

(III) TEASING, TORMENTING, ABUSING, OR PROVOKING THE DOG.

(2) IN AN ACTION AGAINST AN OWNER OF A DOG UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE SPECIFIC BREED OR HERITAGE OF A DOG IS NOT RELEVANT TO THE DETERMINATION OF LIABILITY.”;

in lines 9 and 14, strike “(B)” and “(C)”, respectively, and substitute “(C)” and “(D)”, respectively; in line 10, strike “PERSONAL INJURY OR DEATH” and substitute “INJURY, DEATH, OR LOSS”; in line 11, strike “AGAINST HUMANS”; and in line 12, strike “AS TO THE PERSON”.