



# House of Representatives

**File No. 676**

General Assembly

February Session, 2018

**(Reprint of File No. 378)**

House Bill No. 5503  
As Amended by House  
Amendment Schedule "A"

Approved by the Legislative Commissioner  
May 3, 2018

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

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

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2 statutes is repealed and the following is substituted in lieu thereof  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

4 (a) As used in this section:

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

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

12 (3) "The amount of such damage", with respect to a companion

13 animal, includes expenses of veterinary care, the fair monetary value  
 14 of the companion animal, including all training expenses for a guide  
 15 dog owned by a blind person or an assistance dog owned by a deaf or  
 16 mobility impaired person and burial expenses for the companion  
 17 animal.

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

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

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill modifies civil damage allowances for specified crimes and does not result in a fiscal impact to the state or municipalities.

House "A" strikes the underlying bill and replaces it with language that results in the impact described above.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

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**OLR Bill Analysis****HB 5503 (as amended by House "A")\******AN ACT CONCERNING THE KILLING OR INJURING OF SEEING EYE DOGS AND ASSISTANCE DOGS.*****SUMMARY**

This bill adds training expenses to the damages for which the owner or keeper of a dog is generally liable if the dog injures or kills a deaf, mobility-impaired, or blind person's assistance or guide dog.

Under existing law, the owner or keeper of a dog that injures a companion animal is generally liable for veterinary costs, the companion animal's monetary value, and any burial expenses. An owner or keeper is exempt from liability when (1) his or her dog committed the injury when teased, tormented, or abused or (2) the injured animal was trespassing or committing some other wrongful act.

Existing law, unchanged by the bill, also requires dog owners or keepers to restrain their dogs by leash when not on their own property and near an assistance or guide dog that is wearing a harness or orange-colored leash that makes it readily identifiable as such. Failing to do so, which results in an injury to the assistance or guide dog, also subjects the owner or keeper to liability for rehabilitation or replacement expenses and reasonable attorney's fees (CGS § 22-364b).

\*House Amendment "A" replaces the original bill (File 378) which added separate statutory provisions pertaining to damage to assistance dogs.

EFFECTIVE DATE: Upon passage

**BACKGROUND**

**Companion Animals**

By law, companion animals include domesticated dogs and cats that are normally kept in or near an owner’s household and are dependent on a person for food, shelter, and veterinary care. Companion animals do not include those kept for farming or research (CGS § 22-351a).

**COMMITTEE ACTION**

Planning and Development Committee

Joint Favorable

Yea 22 Nay 0 (03/26/2018)

Judiciary Committee

Joint Favorable

Yea 30 Nay 3 (04/18/2018)