



General Assembly

Amendment

February Session, 2024

LCO No. 4340



Offered by:

REP. STAFSTROM, 129th Dist.

REP. FISHBEIN, 90th Dist.

To: House Bill No. 5257

File No. 438

Cal. No. 283

"AN ACT CONCERNING LIABILITY FOR DAMAGE TO PERSON OR PROPERTY CAUSED BY A DOG."

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

3 "Section 1. Section 22-357 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2024*):

5 (a) As used in this section:

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

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

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

19 (b) If any dog does any damage to either the body or property of any
20 person, the owner, [or] keeper, or both, shall be liable for the amount of
21 such damage. [or, if] If the owner or keeper is a minor, the parent or
22 guardian of such minor, shall be liable for the amount of such damage,
23 except when such damage has been occasioned to the body or property
24 of a person who, at the time such damage was sustained, was
25 committing a trespass or other tort, or was teasing, tormenting or
26 abusing such dog. If a minor, on whose behalf an action under this
27 section is brought, was under seven years of age at the time such
28 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.

40 Sec. 2. Section 22-364b of the 2024 supplement to the general statutes
41 is repealed and the following is substituted in lieu thereof (*Effective*
42 *October 1, 2024*):

43 The owner or keeper of a dog shall restrain and control such dog on
44 a leash when such dog is not on the property of its owner or keeper and
45 is in proximity to a person with a disability accompanied by a service

46 animal, provided such service animal is readily identifiable as a service
47 animal, is in the direct custody of such person and is licensed in
48 accordance with section 22-345. Any person who violates the provisions
49 of this section shall have committed an infraction. If an owner or keeper
50 of a dog violates the provisions of this section and, as a result of such
51 violation, such dog attacks and injures the service animal, such owner,
52 [or] keeper, or both, shall be liable, as provided in section 22-357, as
53 amended by this act, for any damage done to such service animal, and
54 such liability shall include liability for any costs incurred by such person
55 for the veterinary care, rehabilitation or replacement of the injured
56 service animal and for reasonable attorney's fees."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	22-357
Sec. 2	<i>October 1, 2024</i>	22-364b