
OLR Bill Analysis

HB 5257 (as amended by House "A")*

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

SUMMARY

This bill makes a dog's owner, keeper, or both liable for any damage the dog causes to a person's body or property. Under current law, a dog's owner or keeper is liable for the damage the dog causes. (This is a strict liability statute, meaning it does not require the victim to prove that the dog's owner or keeper (1) knew that the dog was vicious or (2) was otherwise negligent.)

As under existing law, unchanged by the bill, liability will not accrue if the damage to the person or property happened while the person was committing a trespass or other tort or was teasing, abusing, or tormenting the dog. The law presumes that (1) anyone under the age of seven was not committing a trespass or teasing the dog unless the defendant can prove otherwise and (2) a member of a law enforcement officer's household where the officer keeps a dog assigned to him or her by the town, state, or federal government is not the dog's keeper.

The bill also makes a dog's owner, keeper, or both liable if the dog attacks and injures a service animal. Under current law, the dog's owner or keeper is liable for damages, which include the cost of veterinary care, rehabilitation or replacement of the injured animal, and reasonable attorney fees. By law, the dog's owner or keeper must control the dog on a leash when near a person accompanied by a service animal.

*House Amendment "A" specifies that a dog's owner, keeper, or both are liable for damage the dog causes, rather than specifying that the owner or keeper are jointly and severally liable, as in the underlying bill.

EFFECTIVE DATE: October 1, 2024

BACKGROUND

Related Law

By law, if damage has been caused by two or more dogs at the same time and the dogs are kept by more than one person, the dogs' owners or keepers are jointly and severally liable for the damage (CGS § 22-356).

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 26 Nay 11 (03/26/2024)