

Fiscal Estimate Narratives

DA 10/22/2015

LRB Number	15-2990/1	Introduction Number	SB-286	Estimate Type	Original
Description Liability for damages caused by dogs, court orders to kill a dog, and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, a person who owns or keeps a dog is generally liable for the damages caused by the dog injuring a person, domestic animal, or property. If the owner or keeper is aware that the dog previously injured a person, domestic animal, or property, the fines may double. The owner/keeper also is subject to a forfeiture due to injury caused by the dog to a person or a number of animals. If the owner/keeper knows that the dog previously injured a person or specific animals, the forfeiture may be increased. Under current law, the State or a municipality may request a court to order that a dog be killed if the dog caused serious injury to a person or domestic animal on two separate occasions.

The bill changes the provision for which the damages may be doubled to apply only to situations in which a dog bites a person with sufficient force to break the skin and cause permanent physical scarring or disfigurement, and the owner/keeper was aware of such behavior previously. This bill increases the maximum forfeiture if a dog causes injury to a person or to a number of animals. Under this bill, a request that a dog be killed may be brought by a person if he/she, his/her minor child, or his/her domestic animal was injured by the dog.

Prosecutors believe enactment of this bill could impact the number of cases filed with them, but do not have sufficient data with which to make an estimate. Consequently, a fiscal estimate is indeterminate.

Long-Range Fiscal Implications

As stated above, a long-term fiscal impact is indeterminate.