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## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

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<b>2007 Assembly Bill 446</b>	<b>Assembly Substitute Amendment 1</b>
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*Memo published:* September 20, 2007

*Contact:* Mark C. Patronsky, Senior Staff Attorney (266-9280)

*Current law* provides that the owner of a farm animal, dog, or cat that is injured or killed by another person's dog may file a claim with the city, village, or town where the incident occurred. This claim must be filed within three days after the animal owner becomes aware of the incident. The city, village, or town investigates the claim and provides a report to the county clerk. The county clerk submits the claim and report to the county board and the county board determines whether or not to make a payment to the owner of the animal that is injured or killed.

Funding for this compensation comes from the dog license revenues. The county creates a "dog license fund" which is used for a source of revenue for the costs of administering the dog license law, certain expenses related to the rabies control program, and the costs of a county pound or humane society. Any revenues remaining in the dog license fund may be used to pay claims for animals that are injured or killed, or may be returned to the municipalities in proportion to the municipal contribution to the fund.

*Assembly Bill 446* provides that the owner of a farm animal, dog, or cat that is injured or killed by another person's dog may make the claim for damage within five business days after learning of the incident, rather than three days. The bill eliminates the role of the city, village, or town in processing a dog damage claim. The bill requires the county to set aside 25% of the dog license fees into a separate fund for damages caused by dogs, except that on March 1 any funds remaining from dog licenses for the previous license year may be returned to the dog license fund and used for the other purposes allowable under current law.

*Assembly Substitute Amendment 1* retains the current requirement for the city, village, or town to investigate and make a report on the dog damage claim.

**Legislative History**

The Assembly Committee on Agriculture recommended Assembly Substitute Amendment 1 for adoption by a vote of Ayes, 11; Noes, 0; and recommended passage of the bill as amended on a vote of Ayes, 8; Noes, 3, on September 13, 2007.

MCP:jb;wu