



## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

**2017 Wisconsin Act 23**  
[2017 Assembly Bill 58]

**Quarantine Exception for Law  
Enforcement Dogs That Have  
Bitten a Person**

### **BACKGROUND**

In general, a dog or cat must be quarantined by an officer (peace officer, local health officer, humane officer, warden, Department of Health Services employee, or other person designated by the local governmental body) if the officer has reason to believe that the dog or cat bit a person, is infected with rabies, or has been in contact with a rabid animal. If the quarantine cannot be imposed because the dog or cat cannot be captured, then the officer may kill the animal, but the officer may only kill as a last resort or if the owner agrees. This quarantine requirement does not apply to a dog that is used by a law enforcement agency and that bites a person while the dog is performing law enforcement functions if the dog is immunized against rabies as evidenced by a valid certificate of rabies vaccination or other evidence.

Under prior law, if a dog that is used by a law enforcement agency bit a person, the law enforcement agency was required to have the dog examined by a veterinarian on three separate dates: (1) the day of the incident or the next day; (2) on the 10th day after the incident; and (3) on one intervening day. The law enforcement agency was also required to ensure that the dog was confined when not performing law enforcement functions until the third examination was performed.

### **2017 WISCONSIN ACT 23**

2017 Wisconsin Act 23 (the Act) eliminates the requirement that if a dog used by a law enforcement agency bites a person, the law enforcement agency must have the dog examined by a veterinarian on the three separate dates, as described above. The Act also eliminates the requirement that the law enforcement agency ensure that the dog is confined when not performing law enforcement functions until the third examination is performed. Instead, under

---

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.

the Act, the law enforcement agency must: (1) make the dog available for examination at any reasonable time; and (2) notify the local health department if the dog exhibits any abnormal behavior.

*Effective date:* June 25, 2017.

*Prepared by:* Melissa Schmidt, Senior Staff Attorney

June 30, 2017

MS:mcm;jal