

Sen. File 477

Senate File 477

Judiciary and Law Enforcement: Jay, Chair; McIntee and Rosenberg.

Do Pass 4/7/83

FILED MAR 18 1983

SENATE FILE **477**

BY COMMITTEE ON JUDICIARY

Approved 3/13/83 (p. 847)
(FORMERLY SSB 229)

Passed Senate, Date 4-5-83 (p. 1103) Passed House, Date 4-14-83 (p. 1331)

Vote: Ayes 43 Nays 3 Vote: Ayes 78 Nays 16

Approved May 12, 1983 (p. 1719)

A BILL FOR

- 1 An Act relating to the liability of dog owners.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 477

H-3750

- 1 Amend Senate File 477 as passed by the Senate,
- 2 as follows:
- 3 1. Page 1, line 7, by inserting after the word
- 4 "animal" the words "or causing a domestic animal to
- 5 escape".
- 6 2. Page 1, line 8, by inserting after the word
- 7 "person," the words "or causes an automobile,
- 8 motorcycle or bicycle accident, or does damage to
- 9 personal property,".

H-3750 FILED APRIL 13, 1983

BY SKOW of Guthrie

4/13 4/14/83 (p. 1331)

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1 Section 1. Section 351.28, Code 1983, is amended to read
2 as follows:

3 351.28 LIABILITY FOR DAMAGES. The owner of any a dog,
4 ~~whether-licensed-or-unlicensed~~, shall be liable to the an
5 injured party injured for all damages done by ~~said~~ the dog,
6 when the dog is caught in the action of worrying, maiming,
7 or killing a domestic animal, or the dog is attacking or
8 attempting to bite a person, except when the party damaged
9 is doing an unlawful act, directly contributing to ~~said~~ the
10 injury. This section ~~shall~~ does not apply to any damage done
11 by a dog affected with hydrophobia unless the owner of ~~such~~
12 the dog had reasonable grounds to know that ~~such~~ the dog was
13 afflicted with ~~said-malady~~, hydrophobia and by reasonable
14 effort might have prevented the injury.

15 EXPLANATION

16 This bill would limit the potential liability of a dog
17 owner by setting out only those damages which the dog owner
18 may be liable for.

19 This bill takes effect July 1 following its enactment.

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afflicted with ~~said-maleady~~ hydrophobia and by reasonable effort might have prevented the injury.

ROBERT T. ANDERSON
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 477, Seventieth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved May 12, 1983

TERRY E. BRANSTAD
Governor

SENATE FILE 477

AN ACT
RELATING TO THE LIABILITY OF DOG OWNERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 351.28, Code 1983, is amended to read as follows:

351.28 LIABILITY FOR DAMAGES. The owner of any a dog, ~~whether-licensed-or-unlicensed,~~ shall be liable to the an injured party ~~injured~~ for all damages done by ~~said~~ the dog, when the dog is caught in the action of worrying, maiming, or killing a domestic animal, or the dog is attacking or attempting to bite a person, except when the party damaged is doing an unlawful act, directly contributing to ~~said~~ the injury. This section ~~shall~~ does not apply to any damage done by a dog affected with hydrophobia unless the owner of ~~such~~ the dog had reasonable grounds to know that ~~such~~ the dog was

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