

FILED FEB 29 2006

SENATE FILE 2296
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3200)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to dogs, including the right to kill a tagged dog
2 and the liability of a dog's owner for damages caused by the
3 dog.

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

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SF 2296

1 Section 1. Section 351.27, Code 2005, is amended to read
2 as follows:

3 351.27 RIGHT TO KILL TAGGED DOG.

4 It shall be lawful for any person to kill a dog, wearing a
5 collar with a rabies vaccination tag attached, when the dog is
6 caught in the act of ~~worrying~~, chasing, maiming, or killing
7 any domestic animal or fowl, or when such dog is attacking or
8 attempting to bite a person.

9 Sec. 2. Section 351.28, Code 2005, is amended to read as
10 follows:

11 351.28 LIABILITY FOR DAMAGES.

12 The owner of a dog shall be liable to an injured party for
13 all damages done by the dog, when the dog is caught in the
14 action of ~~worrying~~, chasing, maiming, or killing a domestic
15 animal, or the dog is attacking or attempting to bite a
16 person, except when the party damaged is doing an unlawful
17 act, directly contributing to the injury. This section does
18 not apply to damage done by a dog affected with hydrophobia
19 unless the owner of the dog had reasonable grounds to know
20 that the dog was afflicted with hydrophobia and by reasonable
21 effort might have prevented the injury.

22 EXPLANATION

23 This bill relates to dogs, including the right to kill a
24 tagged dog and the liability of an owner of a dog for damages
25 caused by the dog. The bill removes the ability of a person
26 to kill a dog that is wearing a collar with a rabies
27 vaccination tag when the dog is caught in the act of worrying
28 a domestic animal or fowl. The bill removes the liability of
29 an owner of a dog to an injured party for damages done by the
30 dog when the dog is caught in the act of worrying a domestic
31 animal. The bill provides that an owner of a dog is liable to
32 an injured party for damages done by the dog when the dog is
33 caught in the act of chasing a domestic animal.

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McKibben co-chair
Schoenjahn co-chair
Zawn
Fraise

SSB# 3200

Judiciary

Succeeded by
SF HF 2296

SENATE FILE _____

BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY
CO-CHAIRPERSON KREIMAN)

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

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28 or chasing a domestic animal or fowl. The bill removes the
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31 a domestic animal. The bill provides that an owner of a dog
32 is liable to an injured party for damages done by the dog when
33 the dog is caught in the act of chasing a domestic animal.

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