

STATEMENT OF PURPOSE

RS24555

The legislation updates sections of Title 25 Chapter 28, Idaho Code relating to dogs which injure humans. This legislation provides statewide minimum standards and definitions while allowing counties to be restrictive. A new category of "at risk" dogs is added, and the existing term "vicious" is replaced by dangerous dog.

Liabilities and penalties are provided for dog attacks on humans. Changes to the statute give the court more discretion in the management of dangerous dogs and the ability to differentiate less severe behavior from more dangerous behavior and provide appropriate conditions for keeping the offending dog to ensure public safety. Court ordered conditions for keeping offending dogs expire after a period of time providing no further incidents occur. The court is provided the discretion to order a dog destroyed on a first unprovoked incident resulting in severe injury or death of a human. The statute provides that under certain circumstances, aggressive acts by dogs are justifiable, and the dog and its owner are exempt from prosecution. Personal responsibility is emphasized as well as the rights of both owners and victims of at risk or dangerous dogs. Misdemeanor penalties are introduced for dangerous dog violations.

FISCAL NOTE

There is no additional fiscal impact to the General Fund. There are no additional impacts to local units of government.

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