

PROPOSED  
SENATE AMENDMENTS TO H.B. 2323  
(Reference to House engrossed bill)

1 Page 1, between lines 1 and 2, insert:

2 "Section 1. Section 11-1025, Arizona Revised Statutes, is amended to  
3 read:

4 11-1025. Liability for dog bites; military and police work

5 A. The owner of a dog ~~which~~ THAT bites a person when the person is  
6 in or on a public place or lawfully in or on a private place, including the  
7 property of the owner of the dog, is liable for damages suffered by the  
8 person bitten, regardless of the former viciousness of the dog or the  
9 owner's knowledge of its viciousness. THE BREED OF A DOG MAY NOT BE  
10 CONSIDERED IN FINDINGS OF FACTS OR CONCLUSIONS OF LAW ENTERED BY A COURT,  
11 ADMINISTRATIVE LAW JUDGE, HEARING OFFICER, ARBITRATOR OR OTHER LEGAL  
12 DECISION-MAKER REGARDING WHETHER A DOG IS AGGRESSIVE OR VICIOUS OR HAS  
13 CREATED LIABILITY.

14 B. ~~Nothing in~~ This section ~~or in~~ AND section 11-1020 ~~shall permit~~ DO  
15 NOT ALLOW the bringing of an action for damages against any governmental  
16 agency using a dog in military or police work if the bite occurred while  
17 the dog was defending itself from a harassing or provoking act, ~~or~~ or  
18 assisting an employee of the agency in any of the following:

19 1. ~~In the apprehension~~ APPREHENDING or holding ~~of~~ a suspect ~~where~~ IF  
20 the employee ~~has~~ HAD a reasonable suspicion of the suspect's involvement in  
21 criminal activity.

22 2. ~~In the investigation of~~ INVESTIGATING a crime or possible crime.

23 3. ~~In the execution of~~ EXECUTING a warrant.

24 4. ~~In the defense of~~ DEFENDING a peace officer or another person.

1 C. Subsection B of this section ~~shall~~ DOES not apply in any case  
2 ~~where~~ IN WHICH the victim of the bite was not a party to, nor a participant  
3 in, nor suspected to be a party to or a participant in, the act that  
4 prompted the use of the dog in the military or police work.

5 D. Subsection B of this section ~~shall apply~~ APPLIES only ~~where~~ IF a  
6 governmental agency using a dog in military or police work has adopted a  
7 written policy on the necessary and appropriate use of a dog for the police  
8 or military work enumerated in subsection B of this section."

9 Renumber to conform

10 Line 6, after "NOT" insert "SOLELY"

11 Strike lines 14 through 18

12 Strike lines 20 through 22

13 Renumber to conform

14 Strike lines 27 through 34, insert:

15 "Sec. 3. Applicability

16 This act applies to new policies of insurance and renewed policies of  
17 insurance issued from and after June 30, 2023."

18 Amend title to conform

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C: TC