

## DOG BITE LIABILITY

### Background

- According to a 2013/2014 survey by the American Pet Products Association, 56.7 million U.S. households own a dog, with the total number of domestic dogs reaching over 83 million.
- Nearly 4.5 million people are bitten each year by dogs.
  - About 885,000 require medical attention for these injuries.
- Dog bites and other dog-related injuries accounted for more than one-third of all liability claim dollars paid out by homeowner's insurance companies in 2014.
- The average cost per claim and value of claims has risen significantly in recent years.
- In 2014, the value of claims to insurance companies skyrocketed to over \$530 million, increasing \$47 million from the previous year.
- Wisconsin ranks tenth in total value of claims for 2014, at \$10.4 million paid out.

### Current Law

- Wisconsin's current law states that an owner or keeper of a dog is generally liable for the amount of damages caused by the dog injuring a person, a domestic animal, or property.
- If the same dog injures a person, domestic animal, or property a second time, the owner or keeper is liable for two times the amount of damages.
- Fails to take into account the property aspect:
  - For example, if a dog damages a carpet due to its lack of potty training, this could be seen as the first offense.
  - If the same dog then bites someone for the first time, the owner or keeper will be liable for two times the damages.

### Summary of Bill

- Amends the statute to refer to "biting".
- Amends current law to clarify "provocation".
  - Current law states the owner has liability even if dog was provoked
- Defines bite as: "with sufficient force to break the skin and cause permanent physical scarring or disfigurement"
- Increases penalties:
  - First offense maximum changed to \$2,500 from \$500.
  - Second offense maximum changed to \$5,000 from \$1,000.
- Includes the person injured by the dog to the list of those who may commence civil action to obtain a judgment from a court ordering an officer to kill a dog.
  - Previously only allowed the state or municipality to do this.