

AMENDMENTS TO LB 347

Introduced by Judiciary.

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. Section 54-601, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 54-601 (1) Dogs are hereby declared to be personal
6 property for all intents and purposes, and, except as provided in
7 subsection (2) of this section, the owner or owners of any dog
8 or dogs shall be liable for any and all damages that may accrue
9 ~~(1)~~ (a) to any person, other than a trespasser, by reason of
10 having been bitten by any such dog or dogs and ~~(2)~~ (b) to any
11 person, firm, or corporation by reason of such dog or dogs killing,
12 wounding, injuring, worrying, or chasing any person or persons or
13 any sheep or other domestic animals belonging to such person, firm,
14 or corporation. Such damage may be recovered in any court having
15 jurisdiction of the amount claimed.

16 (2) (a) A governmental agency or its employees using a dog
17 in military or police work shall not be liable under subsection (1)
18 of this section to a party to, participant in, or person reasonably
19 suspected to be a party to or participant in the act that prompted
20 the use of the dog in the military or police work if the officers
21 of the governmental agency were complying with a written policy on
22 the necessary and appropriate use of a dog for military or police
23 work adopted by the governmental agency and if the damage occurred

1 while the dog was responding to a harassing or provoking act or
2 the damage was the result of a reasonable use of force while the
3 dog or dogs were assisting an employee of the agency in any of the
4 following:

5 (i) The apprehension or holding of a suspect if the
6 employee has a reasonable suspicion of the suspect's involvement in
7 criminal activity;

8 (ii) The investigation of a crime or possible crime;

9 (iii) The execution of a warrant; or

10 (iv) The defense of a peace officer or another person
11 other than the suspect.

12 (b) For purposes of this subsection, harassing or
13 provoking act means knowingly and intentionally attempting to
14 interfere with, interfering with, teasing or harassing such dog in
15 order to distract, or agitating or harming such dog.

16 Sec. 2. Original section 54-601, Reissue Revised Statutes
17 of Nebraska, is repealed.