

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

As Engrossed: H2/21/97

# A Bill

HOUSE BILL 1051

4 By: Representative Lancaster

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## For An Act To Be Entitled

8 "AN ACT TO PROVIDE THAT AN OWNER OF A DOG SHALL BE  
9 RESPONSIBLE FOR DAMAGES TO CHILDREN WHO ARE INJURED OR  
10 KILLED BY THE DOG WHILE IT IS RUNNING AT LARGE; TO  
11 AUTHORIZE COUNTY SHERIFFS OFFICERS AND MUNICIPAL POLICE TO  
12 DESTROY ANY DOG THAT HAS INJURED OR KILLED A CHILD OR  
13 OTHER PERSON WHILE RUNNING AT LARGE; AND FOR OTHER  
14 PURPOSES."

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## Subtitle

17 "TO PROVIDE THAT AN OWNER OF A DOG SHALL  
18 BE RESPONSIBLE FOR DAMAGES TO CHILDREN  
19 INJURED OR KILLED BY THE DOG WHILE IT IS  
20 RUNNING AT LARGE."

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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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24 SECTION 1. (a) As used in this act:

25 (1) "Child" means any person under the age of eighteen (18)  
26 years;

27 (2) "Dog" means all members of the canine family;

28 (3) "Owner" means any person having ownership or personal rights  
29 in a dog or any person who keeps, has in his care, or acts as custodian for a  
30 dog or any person who knowingly permits a dog to remain on any premises owned  
31 or occupied by him;

32 (4) "Premises" means real property;

33 (5) "Running at large" means off the premises of the owner and  
34 unsecured by a leash or other restraint.

35 (b) Any owner of a dog shall be liable for damages to any child injured  
36 or killed by the dog while it is running at large and for all medical expenses

1 resulting from injury to the child.

2 (c) Any child who shall sustain injury or loss of life by any dog while  
3 it is running at large shall have a right of action against the owner.

4 (d) Subject to the provisions of § 20-19-307 and 20-19-308, an officer  
5 of the county sheriff's office or a municipal police department shall impound,  
6 at the owner's expense, any dog that has injured or killed a child or other  
7 person while the dog is running at large and is authorized to immediately  
8 destroy the dog if the officer has reasonable grounds to believe that capture  
9 for purposes of impoundment poses too great a danger to the capturing officer.

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11 SECTION 2. All provisions of this act of a general and permanent nature  
12 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
13 Revision Commission shall incorporate the same in the Code.

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15 SECTION 3. If any provision of this act or the application thereof to  
16 any person or circumstance is held invalid, such invalidity shall not affect  
17 other provisions or applications of the act which can be given effect without  
18 the invalid provision or application, and to this end the provisions of this  
19 act are declared to be severable.

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21 SECTION 4. All laws and parts of laws in conflict with this act are  
22 hereby repealed.

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/s/Rep. Lancaster

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