

SB 927 STAFF MEASURE SUMMARY

Carrier: Sen. Prozanski

Senate Committee On Judiciary

Action Date: 03/16/17

Action: Do pass.

Vote: 5-0-0-0

Yeas: 5 - Dembrow, Linthicum, Manning Jr, Prozanski, Thatcher

Fiscal: No fiscal impact

Revenue: No revenue impact

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WHAT THE MEASURE DOES:

Provides immunity from product liability for seller or lessor of law enforcement dog once dog begins approved training program. Defines law enforcement dog.

ISSUES DISCUSSED:

- Vendor's exposure to litigation
- Alternative remedies for injured individuals
- Dog training and handling procedures
- Contents of measure

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Under current Oregon statute, a seller or lessor of a dog used by law enforcement may be held civilly liable for injuries caused by that dog. Recently, an officer who had been injured by one of his agency's dogs brought a lawsuit against the California vendor who supplied the dog to the law enforcement agency. That vendor is no longer providing dogs to Oregon agencies and there is concern that other vendors may be reluctant to sell or lease dogs in Oregon.

Senate Bill 927 provides sellers and lessors of law enforcement dogs with immunity under product liability statutes for injuries caused by their dogs. This legislation does not affect an injured individual's ability to sue the dog's handler or bring a workers' compensation claim. SB 927 defines a law enforcement dog as one that is purchased or leased by law enforcement with the intention that the dog will receive the training required to be qualified as a law enforcement animal under ORS 167.310(7). The immunity provision takes effect once the dog has started a training program approved by a law enforcement agency or accredited and recognized by an animal handling organization.