

A-Engrossed
House Bill 2345

Ordered by the House March 28
Including House Amendments dated March 28

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Judiciary)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Eliminates lack of foreseeability as defense in action [*for medical expenses*] against owner of dog that caused injury. **Does not prevent owner from asserting other defenses or affect award of certain punitive damages.**

A BILL FOR AN ACT

1
2 Relating to dogs.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) In any action arising from an injury caused by a dog:**

5 **(a) The plaintiff need not prove that the owner of the dog could foresee that the dog**
6 **would cause the injury; and**

7 **(b) The owner of the dog may not assert as a defense that the owner could not foresee**
8 **that the dog would cause the injury.**

9 **(2) This section does not prevent the owner of a dog that caused an injury from asserting**
10 **that the dog was provoked, or from asserting any other defense that may be available to the**
11 **owner.**

12 **(3) This section does not affect the requirements for an award of punitive damages pro-**
13 **vided in ORS 31.730 (1).**

14

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.