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CHAPTER 302

FORMERLY

HOUSE BILL NO. 424

AS AMENDED BY SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO DOGS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

Section 1. Amend § 1717 of Title 7 of the Delaware Code by deleting the current section and replacing it as follows:

“§ 1717. Unauthorized acts against a service, guide or seeing eye dog, penalties.

- (a) No person shall intentionally interfere with the use of a service, guide or seeing eye dog by obstructing, intimidating or otherwise jeopardizing the safety of the user or animal. Whoever violates this subsection shall be guilty of a Class B Misdemeanor.
- (b) No person shall intentionally injure or disable a service, guide or seeing eye dog being used by its owner. Whoever violates this subsection shall be guilty of a Class A Misdemeanor.
- (c) No person shall intentionally kill a service, guide or seeing eye dog owned by a private person or agency. Whoever violates this subsection shall be guilty of a Class D Felony. This subsection, however, does not apply to a law enforcement officer as defined by §222 of Title 11, that is forced to take such action pursuant to the lawful performance of his or her duties.
- (d) No person shall intentionally steal, take or wrongfully obtain a service, guide or seeing eye dog owned by a private person or agency. Whoever violates this subsection shall be guilty of a Class E Felony.
- (e) In any case where a person is convicted of subsections (a), (b), (c) or (d), he or she shall also be ordered to make full restitution for all damages, including incidental and consequential expenses incurred by the service, guide or seeing eye dog owner and the dog which arise out of or are related to the criminal offense.

Approved June 20, 2002

