

**§711-1109.4 Causing injury or death to a service dog or law enforcement animal.** (1) A person commits the offense of causing injury or death to a service dog or law enforcement animal if:

- (a) The person recklessly causes substantial bodily injury to or the death of any service dog or law enforcement animal while the service dog or law enforcement animal is in the discharge of its duties; or
- (b) The person is the owner of a dog and recklessly permits that dog to attack a service dog or law enforcement animal while the service dog or law enforcement animal is in the discharge of its duties, resulting in the substantial bodily injury or death of the service dog or law enforcement animal.

(2) Subsection (1) shall not apply to:

- (a) Accepted veterinary practices;
- (b) Activities carried on for scientific research governed by standards of accepted educational or medicinal practices; or
- (c) Cropping or docking as customarily practiced and permitted by law.

(3) Any person who commits the offense of causing injury or death to a service dog or law enforcement animal shall be guilty of a class C felony.

(4) In addition to any other penalties, any person who is convicted of a violation of this section shall be ordered to make restitution to:

- (a) The owner of the service dog or law enforcement animal for any veterinary bills and out-of-pocket costs incurred as a result of the injury to the service dog or law enforcement animal; and
- (b) The person, entity, or organization that incurs the cost of retraining or replacing the service dog or law enforcement animal for the cost of retraining or replacing the service dog or law enforcement animal if it is disabled or killed.

(5) As used in this section "service dog" shall have the same meaning as in section 347-2.5. [L 2002, c 259, pt of §1; am L 2011, c 175, §9; am L 2013, c 205, §2]

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