

HB 1134 -- DOG OWNER LIABILITY

SPONSOR: McDaniel

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Insurance Policy by a vote of 8 to 1.

Currently, the owner or possessor of any dog that bites, without provocation, any person while such person is on public property or is lawfully on private property is strictly liable for damages suffered by the bite victim. This bill specifies that such owner or possessor shall also be strictly liable when a dog causes serious physical injury to a person, regardless of whether or not the dog bit the person.

PROPOSERS: Supporters say that this bill will cause the owner of a dog to be strictly liable when a dog causes serious physical injury to a person, regardless of whether or not the dog bit the person.

Testifying for the bill was Representative McDaniel.

OPPONENTS: Those who oppose the bill say that this bill will push more liability on the insurance company. This bill makes the owner strictly liable and the owner would not be able to defend against this the way it is currently written and the insurance company would have to pay whether the insured was liable or not.

Testifying against the bill were the Missouri Insurance Coalition and Farmers Group, Inc.