

Assembly Bill No. 265

CHAPTER 74

An act to add Section 831.7.5 to the Government Code, relating to local government liability.

[Approved by Governor August 12, 2013. Filed with
Secretary of State August 12, 2013.]

LEGISLATIVE COUNSEL'S DIGEST

AB 265, Gatto. Local government liability: dog parks.

Existing law governs the tort liability and immunity of, and claims and actions against, a public entity, including, but not limited to, a city, county, city and county, district, and any other political subdivision. Existing law makes the owner of any dog civilly liable for the damages suffered by any person who is bitten by the dog while in a public place or lawfully in a private place, as specified, regardless of the former viciousness of the dog or the owner's knowledge of such viciousness.

This bill would provide that a public entity, as defined, that owns or operates a dog park shall not be held liable for an injury or death of a person or pet resulting solely from the actions of a dog in the dog park.

The people of the State of California do enact as follows:

SECTION 1. Section 831.7.5 is added to the Government Code, to read:

831.7.5. (a) A public entity that owns or operates a dog park shall not be held liable for injury or death of a person or pet resulting solely from the actions of a dog in the dog park.

(b) This section shall not be construed to affect the liability of a public entity that exists under the law.

(c) "Public entity" has the same meaning as Section 811.2, and includes, but is not limited to, cities, counties, cities and counties, and special districts.