

## 2005 ASSEMBLY BILL 363

April 22, 2005 – Introduced by Representatives LEHMAN, HAHN and MURSAU.  
Referred to Committee on Insurance.

1     **AN ACT** *to create* 632.235 of the statutes; **relating to:** coverage under a liability  
2           insurance policy for owners of dogs.

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### *Analysis by the Legislative Reference Bureau*

Current law does not prohibit an insurer from denying, or from basing premiums for, coverage under a liability insurance policy to a dog owner because of the particular breed of dog he or she owns. This bill prohibits an insurer from denying, or from basing premiums for, coverage under a liability insurance policy to a dog owner because of the breed of dog he or she owns. The bill permits an insurer to deny, or to base premiums for, coverage under a liability insurance policy to a dog owner only because of the past behavior of his or her dog. If the dog owner knows that his or her dog has been used in the commission of a crime or has previously injured a person, domestic animal, or property, then the insurer may generally deny coverage or increase the premium for coverage.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

3           **SECTION 1.** 632.235 of the statutes is created to read:  
4           **632.235 Denial of coverage based on dog ownership. (1)** No insurer  
5           authorized to write liability coverage may deny, or impose an increased premium for,

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1 coverage under a liability insurance policy because the person to be covered is a dog  
2 owner and owns a particular breed of dog.

3 **(2)** (a) An insurer authorized to write liability insurance may deny, or impose  
4 an increased premium for, coverage under a liability insurance policy because the  
5 person to be covered is a dog owner only if the dog owner knows that his or her dog  
6 has been used in the commission of a crime or that his or her dog previously injured  
7 a person, domestic animal, or property.

8 (b) An insurer may not deny coverage or impose an increased premium for  
9 coverage under par. (a) if the dog owner would be immune from liability under s.  
10 895.57 (4) or if the dog is used by a law enforcement agency, as defined in s. 165.83  
11 (1) (b), and the dog injures a crime suspect while the dog is performing law  
12 enforcement functions.

13 **SECTION 2. Initial applicability.**

14 (1) This act first applies to insurance policies that are issued or renewed on the  
15 effective date of this subsection.

16 (END)