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DELAWARE STATE SENATE  
152nd GENERAL ASSEMBLY

SENATE BILL NO. 117

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE MEDICAL CARE OF POLICE DOGS INJURED IN THE LINE OF DUTY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 9802, Title 16 of the Delaware Code by making deletions as shown by strike through and  
2 insertions as shown by underline as follows:

3 § 9802. Definitions.

4 The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in  
5 this section, except where the context clearly indicates a different meaning:

6 (19) “Police dog” means a dog that has been trained by a supervising K-9 trainer or K-9 trainer and is handled  
7 by a police officer handler in the performance of their duties used for law enforcement purposes or any law  
8 enforcement related activities.

9 Section 2. Amend § 9815, Title 16 of the Delaware Code by making deletions as shown by strike through and  
10 insertions as shown by underline as follows:

11 § 9816. Emergency care of police dogs.

12 (a) A paramedic or other EMS provider may provide emergency medical services to an injured police dog at the  
13 scene of an emergency that has resulted in the police dog’s injury.

14 (b) A paramedic or other EMS provider may transport the police dog to a designated veterinary facility and  
15 provide emergency medical services to the police dog during transport to the facility, if the paramedic or EMS provider  
16 deem it necessary for the police dog’s survival.

17 (c) A paramedic or other EMS provider who in good faith attempts to render or facilitate emergency medical  
18 services to an injured police dog is not liable for civil damages which occur as a result of any act or omission by the  
19 paramedic or EMS provider in the rendering of the services; unless it is established that the paramedic or EMS provider  
20 caused injuries or death willfully, wantonly, or recklessly or by gross negligence.

21           (d) A paramedic or other EMS provider may not provide emergency medical services to a police dog if their  
22 services are needed concurrently to provide services to an individual, and the care of the police dog would hinder the care  
23 of the individual.

#### SYNOPSIS

This Act authorizes paramedics and other EMS providers to provide medical care to police dogs injured at the scene of an emergency. This Act also grants civil immunity to paramedics and other EMS providers who provide medical services to police dogs, so long as their efforts to assist the police dog were in good faith. However, this Act clarifies that in a situation where a human and a police dog need emergency medical care at the same time, the medical services personnel are prohibited from providing care to the police dog over the human, if the care of the police dog would hinder the human's care.

Author: Senator Pettyjohn