
By: **Delegate Zirkin**
Introduced and read first time: February 9, 2001
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Injury to or Death of Pet - Noneconomic Damages**

3 FOR the purpose of establishing that a person who tortiously injures or causes the
4 death of a pet shall be liable to the owner of the pet for certain noneconomic
5 damages not exceeding a certain amount, and under certain circumstances, for
6 punitive damages; establishing that certain veterinarians and employees of
7 government entities and nonprofit organizations may not be liable for damages
8 under certain circumstances; and generally relating to tortiously injuring or
9 causing the death of a pet.

10 BY repealing and reenacting, with amendments,
11 Article - Courts and Judicial Proceedings
12 Section 11-110
13 Annotated Code of Maryland
14 (1998 Replacement Volume and 2000 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Courts and Judicial Proceedings**

18 11-110.

19 (a) (1) In this section "pet" means a domesticated animal.

20 (2) "Pet" does not include livestock.

21 (b) [The measure of damages for tortious injuries to or death of a pet is the] A
22 PERSON WHO TORTIOUSLY INJURES OR CAUSES THE DEATH OF A PET SHALL BE
23 LIABLE TO THE OWNER OF THE PET FOR:

24 (1) THE market value of the pet before the injury or death or the
25 reasonable cost of veterinary care, but not more than \$5,000 if such charge is greater;

1 (2) NONECONOMIC DAMAGES, INCLUDING MENTAL ANGUISH,
2 EMOTIONAL PAIN AND SUFFERING, LOSS OF COMPANIONSHIP, COMFORT AND
3 PROTECTION, BUT NOT MORE THAN \$25,000; AND

4 (C) THIS SECTION MAY NOT BE CONSTRUED TO APPLY TO ANY PERSON WHO
5 NEGLIGENTLY CAUSES THE INJURY OR DEATH OF A PET AND WHO IS:

6 (1) A LICENSED VETERINARIAN WHO WAS PROVIDING MEDICAL
7 ASSISTANCE TO THE PET; OR

8 (2) AN EMPLOYEE OF A NONPROFIT ORGANIZATION OR A GOVERNMENT
9 ENTITY WHO WAS ACTING ON BEHALF OF PUBLIC HEALTH OR THE PET'S WELFARE.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2001.