
By: **Delegates Zirkin and Kach**

Introduced and read first time: January 18, 2002

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 intentionally 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; providing for the application of this
6 Act; making a stylistic change; and generally relating to civil liability for
7 injuring or causing the death of a pet under certain circumstances.

8 BY repealing and reenacting, with amendments,
9 Article - Courts and Judicial Proceedings
10 Section 11-110
11 Annotated Code of Maryland
12 (1998 Replacement Volume and 2001 Supplement)

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

15 **Article - Courts and Judicial Proceedings**

16 11-110.

17 (a) (1) In this [section] SECTION, "pet" means a domesticated animal.

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

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

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

25 (2) IF THE PERSON ACTS INTENTIONALLY, NONECONOMIC DAMAGES,
26 INCLUDING MENTAL ANGUISH, EMOTIONAL PAIN AND SUFFERING, LOSS OF
27 COMPANIONSHIP, COMFORT, AND PROTECTION, BUT NOT MORE THAN \$25,000.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
2 construed to apply only prospectively and may not be applied or interpreted to have
3 any effect on or application to any cause of action that arises before the effective date
4 of this Act.

5 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2002.