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By: **Delegates McComas, Aumann, Bartlett, Barve, Bates, Boteler, Boutin, Bronrott, Carter, V. Clagett, Eckardt, Elliott, Frush, Glassman, Haddaway, Hennessy, Kach, Kaiser, Lee, Mayer, McDonough, Menes, Miller, Montgomery, Quinter, Shank, Shewell, Sossi, Stern, Stocksdale, and Weldon**

Introduced and read first time: February 10, 2005  
Assigned to: Judiciary

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Committee Report: Favorable  
House action: Adopted  
Read second time: March 2, 2005

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

3 FOR the purpose of establishing that a person who tortiously causes an injury to or  
4 death of a pet is liable to the owner of the pet for certain compensatory damages  
5 of not more than a certain amount; defining a certain term; providing for the  
6 application of this Act; and generally relating to civil liability for causing injury  
7 to or 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 (2002 Replacement Volume and 2004 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[, "pet"] THE FOLLOWING WORDS HAVE THE  
18 MEANINGS INDICATED.

1 (2) "COMPENSATORY DAMAGES" MEANS:

2 (I) IN THE CASE OF THE DEATH OF A PET, THE FAIR MARKET  
3 VALUE OF THE PET BEFORE DEATH AND THE REASONABLE AND NECESSARY COST OF  
4 VETERINARY CARE; AND

5 (II) IN THE CASE OF AN INJURY TO A PET, THE REASONABLE AND  
6 NECESSARY COST OF VETERINARY CARE.

7 (3) (I) "PET" means a domesticated animal.

8 [(2)] (II) "Pet" does not include livestock.

9 (b) (1) [The measure of damages for tortious injuries to or death of a pet is  
10 the market value of the pet before the injury or death or the reasonable cost of  
11 veterinary care, but not more than \$5,000 if such charge is greater] A PERSON WHO  
12 TORTIOUSLY CAUSES AN INJURY TO OR DEATH OF A PET WHILE ACTING  
13 INDIVIDUALLY OR THROUGH AN ANIMAL UNDER THE PERSON'S DIRECTION OR  
14 CONTROL IS LIABLE TO THE OWNER OF THE PET FOR COMPENSATORY DAMAGES.

15 (2) THE DAMAGES AWARDED UNDER PARAGRAPH (1) OF THIS  
16 SUBSECTION MAY NOT EXCEED \$10,000.

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

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2005.