



**AMERICAN
KENNEL CLUB®**

March 2, 2022

American Kennel Club Testimony on SB 815 – Tortious Injury to or Death of Pet - Damages

Chair Smith, Vice Chair Waldstreicher and Members of the Senate Judicial Proceedings Committee:

The American Kennel Club (AKC) provides this written testimony on behalf of our 78 Maryland dog clubs and thousands of constituent dog owners in Maryland.

SB 815 would establish non-economic damages for “mental anguish, emotional pain and suffering, loss of companionship, comfort, and protection” resulting from the injury or death of a pet. Although such concepts may sound benign, they represent a potential change in the legal status of animals and would increase the cost of care significantly; ultimately undermining the ability of pet owners to care for their pets.

The AKC understands the pain and trauma that can result when a beloved pet is injured or killed. However, AKC opposes the awarding of non-economic damages related to a pet because such damages are not typically available for personal property. Allowing non-economic damages for pets calls into question the legal status of pets as property. The legal concept that pets are personal property protects pet ownership and the rights of pet owners. A change in the legal status of animals could result in restricting the rights of owners, veterinarians, and government agencies to protect and care for dogs.

Additionally, allowing such damages and the resulting practitioner insurance necessary to cover for such damages will significantly increase the cost of pet care across the entire spectrum of animal care providers.

For more than two hundred years, laws governing animal ownership and animal care in Maryland and the United States have created a stable legal system that promotes responsible animal ownership, deters and criminalizes animal abuse, and promotes innovative, affordable, and quality animal care. Under this system, which includes criminal and civil liability laws, owners whose pets are negligently injured or killed can be fully and fairly compensated. However, noneconomic damages for injuries sustained by a pet, as proposed by SB 815, ignore tort and property law principles, and introduce new and vastly expanded liability for emotional loss should a pet be improperly injured or killed.

We believe any assumption that allowing noneconomic damages for the death of a pet as being “pro-animal” is patently wrong. While a few owners may momentarily benefit from these financial awards, their pets do not, and the cost of all pet care, veterinary or otherwise, will increase due to this new liability. This will result in many owners being unable or unwilling to provide their pets with necessary and proper treatments, supplies, and care.

The American Kennel Club is not alone in its stance opposing noneconomic damages for injuries to or loss of animals. The American Veterinary Medical Association and the Animal Health Institute, among other organizations, also oppose laws permitting such recovery.

For the reasons stated above, we respectfully urge an unfavorable report on SB 815.

For more information on the issue of non-economic damages and how it impacts animals, please read this [article](#) on this issue.

Thank you for reviewing and considering my testimony.

A handwritten signature in cursive script that reads "Charley Hall".

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