

Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 4807 (as passed by the House)
Sponsor: Representative Gerald Law
House Committee: Family and Civil Law
Senate Committee: Farming, Agribusiness, and Food Systems

Date Completed: 2-23-00

CONTENT

The bill would amend the Public Health Code to provide veterinarians and veterinarian technicians with civil immunity for treating an animal who was brought in for treatment by a person who was not the owner, and whose owner was unknown or could not be contacted about the treatment; and to provide civil and criminal immunity for reporting to authorities instances of suspected animal neglect or abuse.

Specifically, a veterinarian or veterinary technician would not be liable for civil damages for an injury to an animal or death of an animal that resulted from acts or omissions by the veterinarian or veterinarian technician in providing treatment to the animal, or for the euthanasia of a seriously injured or seriously ill animal. The immunity would apply if the animal had been brought to the veterinarian or technician by a person other than the animal's owner, and the veterinarian or technician did not know who owned the animal or was unable to contact the owner before a decision had to be made with respect to emergency treatment or euthanasia. The immunity would not apply to an act or omission by a veterinarian or technician that amounted to gross negligence or willful and wanton misconduct in providing treatment to an animal.

A veterinarian or technician would have to notify the animal control authority in the county in which the animal was found of the disposition of the treatment rendered to the animal before the end of the first business day following the day treatment was rendered.

A veterinarian or technician who in good faith reported to a peace officer, an animal control officer, or an officer of a private organization devoted to the humane treatment of animals an animal that the veterinarian or technician knew or reasonably believed to be abandoned, neglected, or abused, would be immune from civil or criminal liability for making the report.

Proposed MCL 333.18826 & 333.18827

Legislative Analyst: L. Arasim

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: B. Bowerman

S9900\4807sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.