HOUSE BILL NO. 4807

A bill to amend 1978 PA 368, entitled

"Public health code,"

(MCL 333.1101 to 333.25211) by adding sections 18826 and 18827.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1   SEC. 18826. (1) A VETERINARIAN OR VETERINARY TECHNICIAN IS

2 NOT LIABLE FOR CIVIL DAMAGES AS A RESULT OF THE ACTS OR OMISSIONS

3 DESCRIBED IN SUBSECTION (2) IF BOTH OF THE FOLLOWING APPLY:

4   (A) THE ANIMAL HAS BEEN BROUGHT TO THE VETERINARIAN OR VET-

5 ERINARY TECHNICIAN BY A PERSON OTHER THAN THE OWNER OF THE

6 ANIMAL.

7   (B) THE VETERINARIAN OR VETERINARY TECHNICIAN DOES NOT KNOW

8 WHO OWNS THE ANIMAL OR IS UNABLE TO CONTACT THE OWNER OF THE

9 ANIMAL BEFORE A DECISION MUST BE MADE WITH RESPECT TO EMERGENCY

10 TREATMENT OR EUTHANASIA.

1   (2) THE IMMUNITY GRANTED BY THIS SECTION APPLIES TO BOTH OF

2   THE FOLLOWING:

3   (A) AN INJURY TO AN ANIMAL OR DEATH OF AN ANIMAL THAT

4   RESULTS FROM ACTS OR OMISSIONS BY THE VETERINARIAN OR VETERINARY

5   TECHNICIAN IN PROVIDING TREATMENT TO THE ANIMAL.

6   (B) THE EUTHANASIA OF A SERIOUSLY INJURED OR SERIOUSLY ILL

7   ANIMAL.

8   (3) THIS SECTION DOES NOT APPLY TO AN ACT OR OMISSION BY A

9   VETERINARIAN OR VETERINARY TECHNICIAN AMOUNTING TO GROSS NEGLI-

10   GENCE OR WILLFUL AND WANTON MISCONDUCT IN PROVIDING TREATMENT TO

11   AN ANIMAL.

[(4) A VETERINARIAN OR VETERINARY TECHNICIAN SHALL NOTIFY THE
ANIMAL CONTROL AUTHORITY IN THE COUNTY IN WHICH THE ANIMAL IS
FOUND OF THE DISPOSITION OF THE TREATMENT RENDERED TO THE ANIMAL
BEFORE THE END OF THE FIRST BUSINESS DAY FOLLOWING THE DAY
TREATMENT IS RENDERED.]

12   SEC. 18827. A [   ] VETERINARIAN OR VETERINARY TECHNI-

13   CIAN WHO IN GOOD FAITH REPORTS TO A PEACE OFFICER, AN ANIMAL CON-

14   TROL OFFICER, OR AN OFFICER OF A PRIVATE ORGANIZATION DEVOTED TO

15   THE HUMANE TREATMENT OF ANIMALS AN ANIMAL THAT THE VETERINARIAN

16   OR VETERINARY TECHNICIAN KNOWS OR REASONABLY BELIEVES TO BE ABAN-

17   DONED, NEGLECTED, OR ABUSED IS IMMUNE FROM CIVIL OR CRIMINAL

18   LIABILITY FOR MAKING THE REPORT.