

HB 2500 A STAFF MEASURE SUMMARY

Carrier: Sen. Gelser

Senate Committee On Judiciary

Action Date: 05/09/19

Action: Do pass the A-Eng bill.

Vote: 4-0-1-2

Yeas: 4 - Fagan, Gelser, Manning Jr, Prozanski

Exc: 1 - Thatcher

Abs: 2 - Bentz, Linthicum

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Gillian Fischer, Counsel

Meeting Dates: 4/23, 5/9

WHAT THE MEASURE DOES:

Creates a private right of action to recover expenses incurred by an individual for veterinary care of an abused domestic animal against the person responsible for the abuse. Requires expenses incurred by veterinary care be reasonable. Prohibits a court from considering the availability of a private action in criminal restitution hearings.

ISSUES DISCUSSED:

- Definition of domestic animal does not include horses
- Livestock intentionally excluded from the scope of the bill
- Provides right of action independent of any criminal prosecution
- Court must find veterinary and attorney's fees are reasonable

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Domestic animal is defined as an animal, other than livestock or equines, that is owned or possessed by a person.

House Bill 2500 A creates a private right of action for recovery of expenses incurred by an individual for veterinary care of an abused domestic animal. The right of action created by this bill does not apply to equine or livestock.

The existence of a criminal action is not required in order for an individual to file a civil claim under HB 2500 A.