

2017 -- H 5214

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY

Introduced By: Representatives Ucci, Winfield, O'Brien, and Fogarty

Date Introduced: January 26, 2017

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 4 of the General Laws entitled "ANIMALS AND ANIMAL  
2 HUSBANDRY" is hereby amended by adding thereto the following chapter:

3 CHAPTER 27

4 INTENTIONAL OR NEGLIGENT DEATH OF PET

5 **4-27-1. Cause of action.**

6 (a) If a person's pet or companion animal is killed or sustains injuries which result in  
7 death caused by the unlawful and intentional, or negligent act of another, the trier of fact may find  
8 the individual causing the death or the owner of the animal causing the death liable for up to five  
9 thousand dollars (\$5,000) in non-economic damages; provided that if such death is caused by the  
10 negligent or intentional act of another, the death or fatal injury must occur on the property of the  
11 deceased pet's owner or caretaker, or while under the control and supervision of the deceased  
12 pet's owner or caretaker.

13 (b) As used in this section, "pet" means any domesticated dog or cat or any companion  
14 animal normally maintained in or near the household of its owner;

15 (c) This section shall not apply to any not-for-profit entity or governmental agency or  
16 their employees, negligently causing the death of a pet while acting on the behalf of public health  
17 or animal welfare; nor shall this section be construed to authorize any award of non-economic  
18 damages in an action for professional negligence against a licensed veterinarian.

19 **4-27-2. Severability.**

1           If any provision of this act or the application thereof to any person or circumstance is  
2 held invalid, such invalidity shall not affect other provisions or applications of the act which can  
3 be given effect without the invalid provision or application, and to that end the provisions of this  
4 act are declared to be severable.

5           SECTION 2. This act shall take effect upon passage, and shall apply to civil actions filed  
6 on or after the effective date of this act.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO ANIMALS AND ANIMAL HUSBANDRY

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- 1 This act would create a cause of action for the intentional or negligent death of a pet.
- 2 This act would take effect upon passage, and would apply to civil actions filed on or after
- 3 the effective date of this act.

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