

2022 Regular Session

HOUSE BILL NO. 842

BY REPRESENTATIVE MCMAHEN

ANIMALS/CRUELTY: Provides relative to liability for veterinary professionals for the reporting of animal cruelty

1 AN ACT

2 To enact R.S. 9:2800.28, relative to liability; to provide relative to veterinary professionals;
3 to provide relative to animal abuse and reporting; to provide for immunity from civil
4 liability or criminal prosecution; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:2800.28 is hereby enacted to read as follows:

7 §2800.28. Limitation of liability for veterinary professionals who report animal
8 cruelty

9 A. Any veterinarian or veterinary technician who reports in good faith and
10 has reasonable cause to believe that an animal has been subjected to animal cruelty,
11 neglect, or any other act prohibited by law, shall be immune from civil liability or
12 criminal prosecution if he reports such violation to the commissioner or designee of
13 the Department of Agriculture and Forestry, an animal control officer, a law
14 enforcement agency, or a prosecuting attorney or if he participates in any
15 investigation or proceeding for acts prohibited by law.

16 B. Additionally, any veterinarian or veterinary technician shall be immune
17 from civil liability or criminal prosecution for the release of confidential information
18 pursuant to this Section to a court, federal or state department, animal control officer,
19 law enforcement agency, or prosecuting attorney involved in the investigation or
20 prosecution for acts prohibited by law.

1 C. This Section shall not apply if the veterinarian or veterinary technician
2 acts with gross negligence or in bad faith.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 842 Original

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McMahon

Abstract: Provides for liability immunity for veterinary professionals who report animal cruelty, neglect, or other prohibited acts towards animals.

Proposed law provides that veterinarians or veterinary technicians who report suspected animal cruelty, neglect, or other prohibited acts shall be immune from civil liability or criminal prosecution if they report in good faith and have reasonable cause.

Proposed law provides for immunity from liability if the veterinarian or veterinary technician reports such violation to the commissioner or designee of the Dept. of Agriculture and Forestry, an animal control officer, a law enforcement agency, or a prosecuting attorney. Proposed law further extends the immunity from liability to a veterinarian or veterinary technician who participates in any investigation or proceeding for acts prohibited by law as provided by proposed law.

Proposed law provides that the veterinarian or veterinary technician shall be immune from civil liability or criminal prosecution for releasing confidential information to a court, federal or state department, animal control officer, law enforcement agency, or prosecuting attorney.

Proposed law does not apply if the veterinarian or veterinary technician acts with gross negligence or in bad faith.

(Adds R.S. 9:2800.28)