
DIGEST

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HB 842 Engrossed

2022 Regular Session

McMahen

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

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

Present law (R.S. 37:1511 et seq.) provides for the licensing of veterinarians. Present law (R.S. 37:1541 et seq.) provides for the licensing of veterinary technicians.

Proposed law provides for the reportable suspected criminal acts: cruelty to animals, simple and aggravated (R.S. 14:102.1); dogfighting (R.S. 14:102.5); injuring or killing of a police animal (R.S. 14:102.8); hog and canine fighting (R.S. 14:102.19); sport killing of zoo or circus animals (R.S. 14:102.20); cockfighting (R.S. 14:102.23); or unlawful restraint of a dog (R.S. 14:102.26).

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, a P.O.S.T. certified 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 releases confidential information pursuant to a subpoena, court-ordered disclosure, or with written consent of the animal's owner or owner's legal representative.

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

(Adds R.S. 9:2800.28)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Add requirement that veterinarians and veterinary technicians be licensed.
2. Enumerate reportable animal cruelty-related crimes.

3. Add requirement that animal control officer be P.O.S.T. certified.
4. Provide for instances when the veterinarian or veterinary technician may release confidential information.
5. Provide that proposed law shall not apply in cases where the veterinarian or veterinary technician acts with willful misconduct.