



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 419

H.P. 299

House of Representatives, February 7, 2017

An Act To Clarify Damages for the Willful or Negligent Injury or Death of a Dog

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BAILEY of Saco.
Cosponsored by Representatives: DENNO of Cumberland, FAY of Raymond.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 7 MRSA §3953**, as amended by PL 2003, c. 414, Pt. B, §13 and affected
3 by Pt. D, §7 and c. 614, §9, is further amended to read:

4 **§3953. Stealing, injuring or killing dogs**

5 Except as provided in section 3951 and Title 12, section 12404, and unless the killing
6 is justified to protect persons or property, a person who steals, confines or secretes,
7 willfully or negligently injures or willfully or negligently kills a dog is liable in damages
8 to the dog's owner in a civil action. Damages may include, but are not limited to, actual
9 damages, including veterinary fees and the value of the dog; damages for loss of
10 companionship; damages for pain and suffering; and punitive damages. The prevailing
11 party in any action under this section may recover attorney's fees from the nonprevailing
12 party.

13 **SUMMARY**

14 This bill allows damages for the willful or negligent injury or death of a dog to
15 include, but not be limited to, actual damages, including veterinary fees and the value of
16 the dog; damages for loss of companionship; damages for pain and suffering; and
17 punitive damages. The prevailing party in any action may recover attorney's fees from
18 the nonprevailing party.