



## MASSACHUSETTS TO ALLOW NON-ECONOMIC DAMAGES FOR LOSS OF PETS

**\*\* HEARING SET FOR JAN. 28<sup>th</sup> \*\***

### The Issue.

Massachusetts House Bill 1250 adds to current law the option for non-economic damages in suits for malicious injury or killing of a pet. This bill was originally introduced in 2009, but no action has been taken until now. **A committee hearing was announced with one-day's notice for Thursday, January 28, 2010.**

### The Impact.

This bill provides that in suits for damages for malicious injury or the killing of a pet **damages may include emotional distress and loss of companionship.**

As of now, these are the only two alternative damages listed in the legislation, but this could lead to a slippery slope allowing for other non-economic damages. Non-economic damages are not determined by an actual monetary loss and juries often have great discretion in making awards. As written, HB 1250 leaves much discretion.

### Recommended Action.

PIJAC consistently opposes legislation that would grant non-economic damages to pet owners. Such measures can subject breeders, pet product manufacturers, retailers, veterinarians and others to excessive claims and would raise the cost of companion animals for the public. Allowing for these types of damages could result in remedies that are not even available in most incidents for human loss.

**As stated above, HB 1250 will be heard before the Joint Judiciary Committee at 1:00 p.m., in Room A-1 of the State Capitol in Boston. Contact information for committee members is listed below.**

To easily contact both members of the Committee, as well as your own Representative, visit PIJAC's [Legislative Action Center](http://www.pijac.org/governmentaffairs) on the PIJAC website (<http://www.pijac.org/governmentaffairs>) to learn how.

The text to this legislation is attached to the online version of this *PetAlert*, found on the 'Breaking News' page of the PIJAC website (<http://www.pijac.org/petinformation/breakingnews.asp>).

If you have further questions please feel free to contact PIJAC's Bambi Nicole Osborne by phone at 202-452-1525 or via email at [bambi@pijac.org](mailto:bambi@pijac.org).



**State of Massachusetts  
 Joint Committee on the Judiciary  
 State House, #136 (House) & #416B (Senate)  
 Boston, MA 02133  
 617/722-2396 (House) 617/722-1639 (Senate)**

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**PIJAC Members! PIIAC Fans! Join US...**

The Pet Industry Joint Advisory Council (PIJAC) has been protecting and promoting responsible pet ownership for nearly forty years. Follow our successes, events, and action alerts through Facebook and/or Twitter at PIIAC4pets. If you are not already a Member, please join us today by visiting [www.pijac.org/membership](http://www.pijac.org/membership). For additional information on PIIAC and its many exciting campaigns, please visit: [www.pijac.org](http://www.pijac.org) and [www.dontmesswithmypet.org](http://www.dontmesswithmypet.org). Or, contact us at 1-800-553-PETS (1-800-553-7387); [members@pijac.org](mailto:members@pijac.org).

**On behalf of pets, responsible pet owners, and the pet industry, we thank you!**

**HOUSE . . . . . No. 1250**

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The Commonwealth of Massachusetts

PRESENTED BY:

**James Arciero (BY REQUEST)**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:  
An Act relative to damages for the malicious injury to pets.

PETITION OF:

NAME:

Mary Trombetta

DISTRICT/ADDRESS:

78 Harvard Road  
Littleton, MA 01460

# The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**  
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## AN ACT RELATIVE TO DAMAGES FOR THE MALICIOUS INJURY TO PETS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

Chapter 140 of the General Laws is hereby amended by inserting after section 174D the following section:-

Section 174E. In suits for damages for malicious injury or the killing of a pet, such damages may include emotional distress and loss of companionship.