

SENATE BILL No. 1379

June 18, 2002, Introduced by Senator PETERS and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
(MCL 600.101 to 600.9948) by adding section 2975.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2975. (1) THE OWNER OF A DOMESTIC COMPANION ANIMAL MAY
2 BRING A CIVIL ACTION AND RECOVER NONECONOMIC DAMAGES UP TO
3 \$250,000.00 FOR LOSS OF THAT DOMESTIC COMPANION ANIMAL CAUSED BY
4 ANOTHER PERSON'S GROSS NEGLIGENCE OR WILLFUL AND WANTON
5 MISCONDUCT.

6 (2) AS USED IN THIS SECTION:

7 (A) "DOMESTIC COMPANION ANIMAL" MEANS A TAMED VERTEBRATE
8 ANIMAL THAT RESIDES IN OR NEAR THE RESIDENCE OF THAT ANIMAL'S
9 OWNER. A DOG, CAT, OR HORSE IS PRESUMED TO BE A DOMESTIC
10 COMPANION ANIMAL. THE PRESUMPTION MAY BE REBUTTED ONLY ON A
11 SHOWING OF CLEAR AND CONVINCING EVIDENCE.

1 (B) "NONECONOMIC DAMAGES" MEANS ANY TYPE OF PAIN, SUFFERING,
2 INCONVENIENCE, PHYSICAL IMPAIRMENT, DISFIGUREMENT, MENTAL
3 ANGUISH, EMOTIONAL DISTRESS, LOSS OF SOCIETY AND COMPANIONSHIP,
4 INJURY TO REPUTATION, HUMILIATION, OR OTHER NONPECUNIARY DAMAGES.