

Act No. 23
Public Acts of 2000
Approved by the Governor
March 10, 2000
Filed with the Secretary of State
March 13, 2000
EFFECTIVE DATE: March 13, 2000

**STATE OF MICHIGAN
90TH LEGISLATURE
REGULAR SESSION OF 2000**

Introduced by Reps. Law, Richner, Koetje, Rocca, Shulman and Woronchak

ENROLLED HOUSE BILL No. 4807

AN ACT to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," (MCL 333.1101 to 333.25211) by adding sections 18826 and 18827.

The People of the State of Michigan enact:

Sec. 18826. (1) A veterinarian or veterinary technician is not liable for civil damages as a result of the acts or omissions described in subsection (2) if both of the following apply:

(a) The animal has been brought to the veterinarian or veterinary technician by a person other than the owner of the animal.

(b) The veterinarian or veterinary technician does not know who owns the animal or is unable to contact the owner of the animal before a decision must be made with respect to emergency treatment or euthanasia.

(2) The immunity granted by this section applies to both of the following:

(a) An injury to an animal or death of an animal that results from acts or omissions by the veterinarian or veterinary technician in providing treatment to the animal.

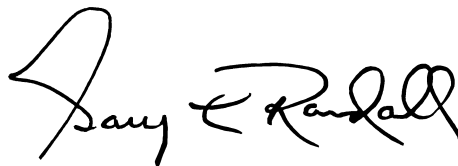
(b) The euthanasia of a seriously injured or seriously ill animal.

(3) This section does not apply to an act or omission by a veterinarian or veterinary technician amounting to gross negligence or willful and wanton misconduct in providing treatment to an animal.

(4) A veterinarian or veterinary technician shall notify the animal control authority in the county in which the animal is found of the disposition of the treatment rendered to the animal before the end of the first business day following the day treatment is rendered.

Sec. 18827. A veterinarian or veterinary technician who in good faith reports to a peace officer, an animal control officer, or an officer of a private organization devoted to the humane treatment of animals an animal that the veterinarian or veterinary technician knows or reasonably believes to be abandoned, neglected, or abused is immune from civil or criminal liability for making the report.

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved _____

Governor.