

**SUBSTITUTE FOR
HOUSE BILL NO. 5525**

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
(MCL 600.101 to 600.9947) by adding section 2980.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 2980. (1) A person is liable to the owner or handler of a**
2 **service animal for damages that result from an injury to the**
3 **service animal, including, but not limited to, the death of the**
4 **service animal, that is caused by the person or by an animal owned**
5 **by the person.**

6 **(2) All of the following may be awarded as damages in an**
7 **action brought under this section:**

8 **(a) Noneconomic damages, including, but not limited to, all of**
9 **the following:**



1 (i) Mental anguish.

2 (ii) Fright and shock.

3 (iii) Loss of companionship.

4 (b) Economic damages, including, but not limited to, all of
5 the following:

6 (i) The value of the service animal if the service animal is
7 killed or is not able to do its work or perform its tasks.

8 (ii) The value of any equipment associated with the service
9 animal that was damaged, including, if available, the replacement
10 cost of new equipment.

11 (iii) The reasonable cost of care for the service animal,
12 including, but not limited to, all of the following:

13 (A) Transportation expenses.

14 (B) Loss of the owner's or handler's earnings.

15 (C) Travel and lodging expenses.

16 (D) Veterinary expenses.

17 (E) Expenses of necessary substances and products.

18 (F) Hospitalization or boarding expenses.

19 (iv) The reasonable cost of retraining or rehabilitating the
20 service animal.

21 (v) The reasonable cost of replacing the service animal, if
22 necessary, including, but not limited to, all of the following:

23 (A) The cost of locating the replacement animal.

24 (B) Travel and lodging expenses.

25 (C) Loss of the owner's or handler's earnings.

26 (D) Cost of the replacement animal.

27 (E) The expense of transporting the replacement animal.

28 (F) Training expenses.

29 (c) Punitive damages if the conduct of the liable person was



1 intentional or reckless.

2 (d) Attorney fees and actual costs.

3 (3) A person is liable under this section whether the conduct
4 that caused the injury was intentional, reckless, or negligent.

5 (4) In an action under this section, noneconomic damages may
6 not be awarded for an injury caused by an individual who is
7 licensed or otherwise authorized to practice veterinary medicine
8 under part 188 of the public health code, 1978 PA 368, MCL
9 333.18801 to 333.18838, while the individual is engaged in the
10 practice of veterinary medicine.

11 (5) This section does not affect the right to any other remedy
12 available to the owner or handler of the service animal under any
13 other law.

14 (6) As used in this section, "service animal" means that term
15 as defined in section 50a of the Michigan penal code, 1931 PA 328,
16 MCL 750.50a.

