2022 Regular Session

HOUSE BILL NO. 842

BY REPRESENTATIVE MCMAHEN

1   AN ACT

2 To enact R.S. 9:2800.28, relative to liability; to provide relative to veterinary professionals;

3   to provide relative to animal abuse and reporting; to provide for immunity from civil

4   liability or criminal prosecution; to provide relative to the release of confidential

5   information; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7   Section 1. R.S. 9:2800.28 is hereby enacted to read as follows:

8   §2800.28. Limitation of liability for veterinary professionals who report animal

9   cruelty

10   A. Any veterinarian licensed by the state or veterinary technician licensed

11   by the state who reports in good faith and has reasonable belief that an animal has

12   been the subject of a violation of R.S. 14:102.1, 102.5, 102.8, 102.19, 102.20,

13   102.23, or 102.26 shall be immune from civil liability or criminal prosecution if he

14   reports such violation to the commissioner or designee of the Department of

15   Agriculture and Forestry, a P.O.S.T. certified animal control officer, a law

16   enforcement agency, or a prosecuting attorney or if he participates in any

17   investigation or proceeding for acts prohibited by law.

18   B. Additionally, any veterinarian licensed by the state or veterinary

19   technician licensed by the state shall be immune from civil liability or criminal

20   prosecution for the release of confidential information pursuant to a subpoena or

21   court-ordered disclosure, or upon written consent from the animal's owner or the

22   animal owner's legal representative.

1   C. This Section shall not apply if the veterinarian or veterinary technician

2   acts with gross negligence, willful misconduct, or in bad faith.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

_____
PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored
are additions.