

March 3, 2025

The Honorable Robert Craven, Chairman
House Judiciary Committee
Rhode Island House of Representatives
82 Smith St.
Providence, RI 02903

Dear Chairman Craven:

On behalf of the Animal Health Institute (AHI), a national trade association representing companies that make medicines for animals, I am writing to ask you to oppose HB 5926. The bill provides that if a person's pet is seriously injured or killed or sustains injuries which result in death caused by the unlawful and intentional, or negligent act of a "caretaker", the trier of fact may find the caretaker liable for up to a maximum of \$7,500 in noneconomic damages.

AHI deeply cherishes pets and appreciates the hardship of losing a companion animal regardless of the circumstances. The problem with adding emotion-based liability into pet litigation is that pets do not reap the benefits of these awards. But pets will suffer the consequences when owners can no longer afford important pet care, products and services—including food, walkers, kenneling, veterinary care and medicine—because of the increased liability costs that these damages will impose on pet care providers and manufacturers. So, these damages might benefit a few pet owners, but would harm pets in general.

Research and experience have demonstrated that many pet owners have limited amounts of money to spend on their pets. Most veterinarians have seen pets suffer or be put down because the owners could not afford the few hundred dollars for a needed procedure. During economic downturns, there often are numerous stories of how owners around the country must put pets to sleep rather than treat them. Policies that increase the cost of pet care, as does this proposal, often will result in diminished care for pets.

Yet, over the past 30 years, there has been a concerted effort, often by animal rights groups, to include noneconomic damages in pet litigation, with cases filed in some thirty-five states and legislation introduced in more than a dozen legislatures. These courts and legislatures have wisely rejected these attempts at emotion-based damages, regardless of the tort or circumstance.

More than a dozen states have seen bills, like HB 5926, that would authorize various types of noneconomic damages in pet litigation. They have not been enacted. In fact, no state allows loss of consortium in situations sought under HB 5926. Similarly, state judiciaries have also separated the emotional attachment between an owner and a pet from the need to create new liability law. Indeed, no court in any state has created separate liability law for pets that would broadly allow for emotion-based damages. We urge you not to make Rhode Island an outlier to this stable legal framework that has benefited pets and owners.

HB 5926 defines a caretaker as any person to whom the pet owner has voluntarily relinquished temporary control, custody and/or supervision of their pet. When everyone is a caretaker and subject to liability, risks and costs for pet services, such as walking and boarding, will rise and make them less available. Allowing noneconomic damages in pet litigation will increase the cost of pet care, products and services and threaten to put pet ownership out of the reach of many people. Veterinary care will begin to resemble human healthcare, where the threat of litigation and emotion-based liability awards increase costs and dictate care. The impact of such a change in the law will be felt most by people who can least afford it. Less veterinary care also increases public health risks. Controlling rabies and zoonotic disease is a key function of these veterinary services.

The current legal environment in Rhode Island and other states encourages responsible pet ownership, has protected animals from abuse, and promotes affordable and quality animal care. In the interests of pet welfare, we urge you to oppose HB 5926, because it will lead to a new wave of pet litigation, and isolate Rhode Island in American jurisprudence.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mandy Hagan', with a stylized flourish at the end.

Mandy Hagan
Director, State Government Affairs