

346.56 UNAUTHORIZED RELEASE OF ANIMALS.

Subdivision 1. [Repealed, 1989 c 55 s 3]

Subd. 2. **Liability for damages.** A person who without permission releases an animal lawfully confined for science, research, commerce, or education is liable:

(1) to the owner of the animal for damages, including the costs of restoring the animal to confinement and to its health condition prior to release;

(2) for damage to personal and real property caused by the released animal;

(3) if the release causes the failure or interruption of an experiment, for all costs of repeating the experiment, including replacement of the animals, labor, and materials; and

(4) for any other damage the person causes to property in the facility from which the animal was released.

Subd. 3. **Amount of damages.** A person who is damaged under subdivision 2, clause (3) or (4), is entitled to recover a minimum of \$5,000 or three times the actual damages incurred by that person under subdivision 2, clause (3) or (4), whichever is greater, and punitive damages, costs, and reasonable attorney fees.

Subd. 4. **Third-party liability; presumption.** A person or organization who plans or assists in the development of a plan to release, without permission, an animal lawfully confined for science, research, commerce, or education, or who otherwise aids, advises, hires, counsels, or encourages another to commit the act is jointly and severally liable for all damages under subdivision 3. There is a rebuttable presumption that a person or organization who claims responsibility for the act is liable under this subdivision.

History: 1988 c 535 s 1; 1989 c 55 s 1; 1999 c 216 art 6 s 14