

SENATE, No. 1860

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED FEBRUARY 15, 2018

Sponsored by:

Senator NILSA CRUZ-PEREZ

District 5 (Camden and Gloucester)

Senator VIN GOPAL

District 11 (Monmouth)

SYNOPSIS

Provides immunity from civil and criminal liability for rescue of animal from motor vehicle under inhumane conditions.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/1/2018)

1 AN ACT concerning the rescue of an animal from a vehicle under
2 certain circumstances and supplementing Title 2A of the New
3 Jersey Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. a. Whenever a domestic companion animal has been left
9 unattended in a motor vehicle under inhumane conditions adverse to
10 the health or welfare of the animal, including, but not limited to,
11 heat, cold, inadequate ventilation, or other circumstances likely to
12 endanger or cause bodily injury or death to the animal, any person
13 who, without license or privilege to otherwise enter the motor
14 vehicle, may in good faith enter the vehicle in order to remove, or
15 render emergency care to, the animal if the person reasonably
16 believes that the health or welfare of the animal may be at risk
17 under such circumstances, provided that prior to entering the motor
18 vehicle the person contacted appropriate rescue personnel to report
19 the circumstances and made a reasonable attempt to locate the
20 owner or operator of the motor vehicle or other person responsible
21 for the animal unless exigent circumstances warrant foregoing such
22 actions.

23 b. After removing the animal from the vehicle, the person shall
24 immediately contact for assistance appropriate rescue personnel, if one
25 has not already been contacted.

26 c. Upon receipt of any such report from a person, the appropriate
27 rescue personnel shall dispatch assistance to the scene of the animal
28 recovery, and immediately seek proper veterinary care for the animal
29 as needed and cause to be commenced any investigation necessary for
30 a suspected violation of R.S.4:22-17 or R.S.4:22-26.

31 d. A person who acts in accordance with subsections a. and b. of
32 this section shall be immune from civil or criminal liability for any
33 acts or omissions related to breaking into and entering a vehicle and
34 rendering emergency care to a domestic companion animal. The
35 immunity provided under this section shall be in addition to any other
36 immunity that may apply under the "New Jersey Tort Claims Act,"
37 N.J.S.59:1-1 et seq., or any other law, rule, or regulation.

38 e. As used in this section, "appropriate rescue personnel" means a
39 law enforcement officer, a member of a paid, part paid, or volunteer
40 fire department or fire company, or ambulance, emergency, or rescue
41 squad, a certified animal control officer, or a humane law enforcement
42 officer or agent of the New Jersey Society for the Prevention of
43 Cruelty to Animals or of a county society for the prevention of cruelty
44 to animals.

45
46 2. This act shall take effect immediately.

