

ASSEMBLY, No. 3636

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED APRIL 14, 2016

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblyman JAMEL C. HOLLEY

District 20 (Union)

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/15/2016)

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 and Title 4 of the Revised Statutes.

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

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8 1. A person shall be immune from civil or criminal liability for
9 breaking into and entering a vehicle pursuant to subsection b. of
10 section 2 of this act, if the person reasonably believes that an animal
11 has been left unattended in the vehicle under inhumane conditions
12 adverse to the health or welfare of the animal as prohibited by
13 subsection c. of R.S.4:22-26 or paragraph (3) of subsection a. of
14 R.S.4:22-17, the animal is in imminent danger of serious harm, and
15 the person in good faith enters the vehicle in order to remove, or
16 render emergency care to, the animal.

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18 2. a. If a person reasonably believes an animal has been left
19 unattended in a parked vehicle in violation of R.S.4:22-17 and
20 under inhumane conditions adverse to the health or welfare of the
21 living animal, including, but not limited to, heat, cold, inadequate
22 ventilation, or other circumstances likely to endanger the animal, or
23 cause bodily injury or death to the animal, as prohibited by
24 paragraph (3) of subsection a. of R.S.4:22-17 and subsection c. of
25 R.S.4:22-26, the person shall:

26 (1) immediately report the circumstances to rescue personnel;
27 and

28 (2) make a reasonable effort to locate the owner or other person
29 responsible for the animal.

30 b. If the person or any responding rescue personnel has
31 reasonable cause to believe that any delay in rescuing the animal
32 would result in serious bodily injury or death to the animal, the
33 person or responding rescue personnel may immediately break into
34 and enter the vehicle and remove the animal to a safe location, with
35 immunity from civil or criminal liability as provided by section 1 of
36 this act. After rescuing the animal, the person shall immediately
37 contact a law enforcement officer, certified animal control officer,
38 or humane law enforcement officer or agent of the New Jersey
39 Society for the Prevention of Cruelty to Animals or of a county
40 society for the prevention of cruelty to animals, if one has not
41 already been notified.

42 c. The rescue personnel, certified animal control officer, or
43 humane law enforcement officer or agent of the New Jersey Society
44 for the Prevention of Cruelty to Animals or of a county society for
45 the prevention of cruelty to animals, contacted in accordance with
46 subsection b. of this section, shall immediately seek proper
47 veterinary care for the animal and commence any investigation
48 necessary for a suspected violation of R.S.4:22-17 or R.S.4:22-26.

1 d. As used in this section, "rescue personnel" means a law
2 enforcement officer, a member of a paid, part paid, or volunteer fire
3 department or fire company, or ambulance, emergency, or rescue
4 squad, a certified animal control officer, or humane law
5 enforcement officer or agent of the New Jersey Society for the
6 Prevention of Cruelty to Animals or of a county society for the
7 prevention of cruelty to animals.

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9 3. This act shall take effect immediately.

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STATEMENT

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14 This bill provides to a person with reasonable belief of possible
15 harm to an animal left alone in a parked vehicle and who acts in
16 good faith to rescue the animal immunity from criminal or civil
17 liability for any damage to any vehicle or other property, or any
18 injury to the animal, occurring as a result of the rescue or rescue
19 attempt.