

[First Reprint]

ASSEMBLY, No. 3636

STATE OF NEW JERSEY
217th LEGISLATURE

INTRODUCED APRIL 14, 2016

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District 37 (Bergen)

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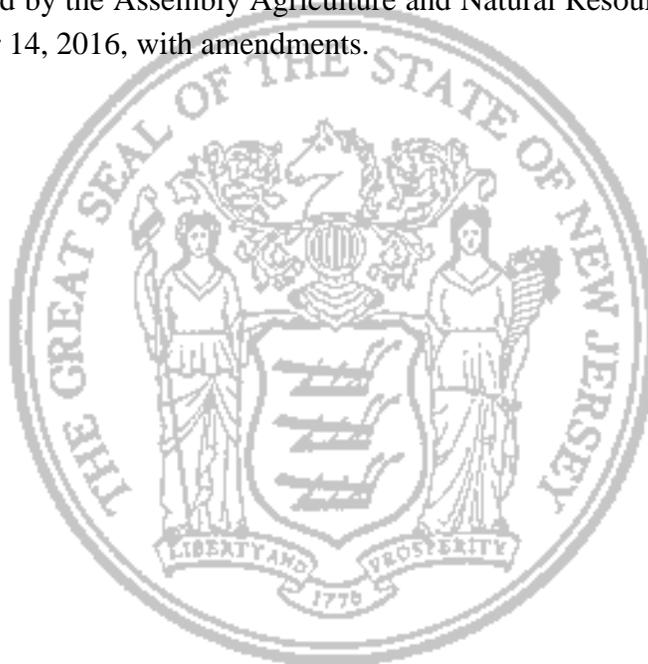
Assemblyman Burzichelli

SYNOPSIS

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

CURRENT VERSION OF TEXT

As reported by the Assembly Agriculture and Natural Resources Committee on November 14, 2016, with amendments.



(Sponsorship Updated As Of: 12/20/2016)

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:*

7
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 ¹**[**subsection c. of R.S.4:22-26 or ¹**]** paragraph (3) of subsection a.
14 of R.S.4:22-17 ¹or subsection c. of R.S.4:22-26¹, the animal is in
15 imminent danger of serious harm, and the person in good faith
16 enters the vehicle in order to remove, or render emergency care to,
17 the animal.

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

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

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

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

43 c. The rescue personnel, certified animal control officer, or
44 humane law enforcement officer or agent of the New Jersey Society

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AAN committee amendments adopted November 14, 2016.

1 for the Prevention of Cruelty to Animals or of a county society for
2 the prevention of cruelty to animals, contacted in accordance with
3 subsection b. of this section, shall immediately seek proper
4 veterinary care for the animal and commence any investigation
5 necessary for a suspected violation of R.S.4:22-17 or R.S.4:22-26.

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

13

14 3. This act shall take effect immediately.