

[First Reprint]

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)

Co-Sponsored by:

Senator O'Scanlon

SYNOPSIS

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

CURRENT VERSION OF TEXT

As amended by the Senate on June 21, 2018.



(Sponsorship Updated As Of: 6/26/2018)

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 ¹**["the health or welfare of"]** the animal ¹**["may be at**
17 **risk under such"]** is in immediate danger of bodily injury or death
18 from the¹ circumstances, provided that prior to entering the motor
19 vehicle the person contacted appropriate rescue personnel to report
20 the circumstances and made a reasonable attempt to locate the
21 owner or operator of the motor vehicle or other person responsible
22 for the animal unless exigent circumstances warrant foregoing such
23 actions.

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

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

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

40 e. As used in this section, "appropriate rescue personnel" means
41 a law enforcement officer, a member of a paid, part paid, or
42 volunteer fire department or fire company, or ambulance,
43 emergency, or rescue squad, a certified animal control officer, or a
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:

¹Senate floor amendments adopted June 21, 2018.

- 1 for the Prevention of Cruelty to Animals or of a county society for
- 2 the prevention of cruelty to animals.
- 3 2. This act shall take effect immediately.