

[Second Reprint]  
**SENATE, No. 1860**

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**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

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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 25, 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 <sup>1</sup>~~["the health or welfare of"]~~ the animal <sup>1</sup>~~["may be at~~  
 17 ~~risk under such"]~~ is in immediate danger of bodily injury or death  
 18 from the<sup>1</sup> 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. <sup>2</sup>(1)<sup>2</sup> A person who acts in accordance with subsections a.  
 34 and b. of this section shall be immune from civil or criminal  
 35 liability for <sup>2</sup>;

36 (a) any property damage, or any injury to the animal, caused by<sup>2</sup>  
 37 acts or omissions related to breaking into and entering a vehicle and  
 38 rendering emergency care to a domestic companion animal <sup>2</sup>[""] ,  
 39 unless the person engaged in reckless or willful misconduct; and

40 (b) any violation of the animal cruelty laws of the State unless the  
 41 person engaged in reckless or willful misconduct.

42 (2)<sup>2</sup> The immunity provided under this section shall be in  
 43 addition to any other immunity that may apply under the "New

**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:

<sup>1</sup>Senate floor amendments adopted June 21, 2018.

<sup>2</sup>Senate floor amendments adopted June 25, 2018.

1 Jersey Tort Claims Act,” N.J.S.59:1-1 et seq., or any other law,  
2 rule, or regulation.

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

10 2. This act shall take effect immediately.