

1 SB61
2 194870-1
3 By Senator Marsh
4 RFD: Judiciary
5 First Read: 05-MAR-19

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8 SYNOPSIS: This bill would provide that a person who
9 rescues a domestic animal from a motor vehicle when
10 the person holds a good faith belief that the
11 domestic animal is in imminent danger of suffering
12 bodily harm unless removed from the motor vehicle
13 is immune from liability for property damage or
14 injury under certain circumstances.

15
16 A BILL
17 TO BE ENTITLED
18 AN ACT

19
20 Relating to civil liability; to provide that a
21 person who rescues a domestic animal from a motor vehicle when
22 the person holds a good faith belief that the domestic animal
23 is in imminent danger of suffering bodily harm unless removed
24 from the motor vehicle is immune from liability for property
25 damage or injury under certain circumstances.
26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. (a) In this section, the following words
2 shall have the following meanings:

3 (1) DOMESTIC ANIMAL. A dog, cat, or other animal
4 that is domesticated and kept as a household pet.

5 (2) MOTOR VEHICLE. A motor vehicle, as defined in
6 Section 32-1-1.1, Code of Alabama 1975, that is enclosed.

7 (b) A person is immune from liability for property
8 damage or injury that results from his or her forcible entry
9 into a motor vehicle if all of the following occur:

10 (1) The actor knows a domestic animal is present in
11 a motor vehicle and the actor has a good faith belief that the
12 domestic animal is in imminent danger of suffering bodily harm
13 unless the domestic animal is removed from the motor vehicle.

14 (2) The actor determines that the motor vehicle is
15 locked and that forcible entry is necessary to enable the
16 domestic animal to exit or be removed from the motor vehicle.

17 (3) The actor contacts law enforcement, emergency
18 medical services, or animal control before the actor forcibly
19 enters the motor vehicle.

20 (4) The actor remains with the domestic animal until
21 a law enforcement officer, emergency medical service provider,
22 animal control officer, or other first responder arrives at
23 the scene.

24 (5) The actor uses no more force than he or she
25 reasonably believes necessary to allow the domestic animal to
26 exit or be removed from the motor vehicle.

1 Section 2. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.