

EMERGENCY MINOR AND ANIMAL RESCUE ACT

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Senate Bill 566 as passed by the Senate

Sponsor: Sen. Marty Knollenberg

House Committee: Judiciary

Senate Committee: Judiciary

Complete to 9-12-16

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

Senate Bill 566 creates the Emergency Minor and Animal Rescue Act. Under certain listed conditions, an individual will be immune from civil liability for any damage resulting from a forcible entry into a motor vehicle for the purpose of removing a minor or animal from the vehicle. An individual will be immune if all of the following are true:

- The individual determines the vehicle is locked and there is no reasonable method for the minor or animal to exit the vehicle.
- The individual has a good-faith belief that forcible entry is necessary because the minor or animal is in imminent danger of suffering harm if not immediately removed from the vehicle and, based on the circumstances known to the individual, the belief is reasonable.
- The individual contacted either the local law enforcement agency, fire department, or 9-1-1 operator before or after forcibly entering the vehicle.
- The individual places a notice on the windshield with contact information, the reason the entry was made, the location of the minor or animal, and a statement that the local authorities were notified.
- The individual remains with the minor or animal in a safe location, out of the elements but reasonably close to the vehicle, until a law enforcement, fire, or other emergency responder arrives.
- The individual does not use any more force to enter and remove the minor or animal than necessary under the circumstances.

The new act will not affect an individual's civil liability if he or she attempts to render aid to a minor or animal in addition to that authorized under the act. The bill takes effect 90 days after enactment.

FISCAL IMPACT:

The bill would have no fiscal impact on state or local units of government.

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