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BILL



ANALYSIS

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Senate Bill 566 (as introduced 10-15-15)  
Sponsor: Senator Marty Knollenberg  
Committee: Judiciary

Date Completed: 2-9-16

### **CONTENT**

**The bill would create the "Emergency Minor and Animal Rescue Act" to excuse a person from civil liability for damage resulting from forcible entry into a motor vehicle to remove a minor or animal from the vehicle under certain circumstances.**

Specifically, an individual who did all of the following would be immune from civil liability for any damage resulting from the forcible entry into a motor vehicle for the purpose of removing a minor or animal from the vehicle:

- Determined that the vehicle was locked and there otherwise was no reasonable method for the minor or animal to exit the vehicle.
- Had a good-faith belief that forcible entry into the vehicle was necessary because the minor or animal was in imminent danger of suffering harm if not immediately removed from the vehicle and the belief was reasonable based on the circumstances known at the time.
- Contacted the local law enforcement agency, fire department, or 9-1-1 operator before forcibly entering the vehicle.
- Placed a notice on the vehicle's windshield with his or her contact information, the reason for the entry, the location of the minor or animal, and a statement that the local authorities had been notified.
- Remained 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 arrived.

The person could not use any more force to enter the vehicle and remove the minor or animal than was necessary under the circumstances.

The proposed Act would not affect an individual's civil liability if he or she attempted to render aid to a minor or animal beyond that authorized in the Act.

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Ryan Bergan

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