

SENATE BILL No. 566

October 15, 2015, Introduced by Senators KNOLLENBERG, HORN and MARLEAU and referred to the Committee on Judiciary.

A bill to provide protection from civil liability for individuals who take certain actions to prevent harm to minors or animals.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "emergency minor and animal rescue act".

3 Sec. 2. (1) An individual who acts as described in subsection
4 (2) is immune from civil liability for any damage resulting from
5 the forcible entry into a motor vehicle for the purpose of removing
6 a minor or animal from the vehicle.

7 (2) An individual is immune under subsection (1) if all of the
8 following apply:

Senate Bill No. 566 as amended February 18, 2016

1 (a) The individual determines that the vehicle is locked and
2 there is otherwise no reasonable method for the minor or animal to
3 exit the vehicle.

4 (b) The individual has a good-faith belief that forcible entry
5 into the vehicle is necessary because the minor or animal is in
6 imminent danger of suffering harm if not immediately removed from
7 the vehicle and, based on the circumstances known to the individual
8 at the time, the belief is reasonable.

9 (c) The individual has contacted either the local law
10 enforcement agency, fire department, or 9-1-1 operator before <<or
11 after>> forcibly entering the vehicle.

12 (d) The individual places a notice on the vehicle's windshield
13 with the individual's contact information, the reason the entry was
14 made, the location of the minor or animal, and a statement that the
15 local authorities have been notified.

16 (e) The individual remains with the minor or animal in a safe
17 location, out of the elements but reasonably close to the vehicle,
18 until a law enforcement, fire, or other emergency responder
19 arrives.

20 (f) The individual does not use any more force to enter the
21 vehicle and remove the minor or animal from the vehicle than is
22 necessary under the circumstances.

23 (3) This section does not affect an individual's civil
24 liability if the individual attempts to render aid to a minor or
25 animal in addition to what is authorized by this section.

<<Enacting section 1. This act takes effect 90 days after the
date it is enacted into law.>>