

IN THE SENATE

SENATE BILL NO. 1244, As Amended

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO LEGAL IMMUNITY; AMENDING CHAPTER 3, TITLE 5, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 5-345, IDAHO CODE, TO PROVIDE IMMUNITY FROM CIVIL LIABILITY FOR A PERSON RENDERING CERTAIN AID TO A PET IN A MOTOR VEHICLE AND TO DEFINE A TERM; AMENDING CHAPTER 70, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-7045, IDAHO CODE, TO PROVIDE IMMUNITY FROM PROSECUTION FOR A PERSON RENDERING CERTAIN AID TO A PET IN A MOTOR VEHICLE AND TO DEFINE A TERM; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 3, Title 5, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 5-345, Idaho Code, and to read as follows:

5-345. IMMUNITY -- AID TO PET IN VEHICLE. (1) A person is immune from civil liability for entry, including forced entry and any resulting property damage, into a motor vehicle for the purpose of removing a pet from the vehicle if the person:

- (a) Has a reasonable, good faith belief that the pet is in imminent danger of suffering death or serious bodily harm;
- (b) Contacts law enforcement before and immediately after entering, if feasible; and
- (c) Uses no more force than reasonably necessary to gain entry.

(2) For purposes of this section, "pet" shall have the same meaning as provided in section 25-2703, Idaho Code.

SECTION 2. That Chapter 70, Title 18, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 18-7045, Idaho Code, and to read as follows:

18-7045. IMMUNITY -- AID TO PET IN VEHICLE. (1) A person shall not be prosecuted under this title for entry, including forced entry and any resulting property damage, into a motor vehicle for the purpose of removing a pet from the vehicle if the person:

- (a) Has a reasonable, good faith belief that the pet is in imminent danger of suffering death or serious bodily harm;
- (b) Contacts law enforcement before and immediately after entering, if feasible; and
- (c) Uses no more force than reasonably necessary to gain entry.

(2) For purposes of this section, "pet" shall have the same meaning as provided in section 25-2703, Idaho Code.

SECTION 3. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval.