

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FOURTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 916**

Introduced by Howard, 9.

Read first time January 12, 2016

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to offenses against animals; to provide
- 2 immunity from criminal or civil liability for removal of an animal
- 3 from a motor vehicle by forcible entry as prescribed; and to provide
- 4 a duty for the Revisor of Statutes.
- 5 Be it enacted by the people of the State of Nebraska,

1           Section 1.   (1) Any person who causes damage to a motor vehicle  
2 resulting from forcible entry to remove and rescue an animal locked or  
3 trapped inside shall be immune from criminal or civil liability for  
4 damage to the motor vehicle if the following conditions exist:

5           (a) The motor vehicle is locked or there is no otherwise reasonable  
6 method by which to extricate the animal than by forcible entry;

7           (b) The person has a reasonable belief that forcible entry is  
8 necessary because the animal is in imminent danger of suffering harm or  
9 death if not immediately removed based upon the surrounding  
10 circumstances;

11           (c) The person has contacted either local law enforcement, the fire  
12 department, an animal control agency, or an emergency 911 service  
13 operator prior to forcible entry of the vehicle;

14           (d) The person places a written notice securely on the windshield or  
15 driver's side door of the motor vehicle with the person's name, telephone  
16 number, or other contact information with an explanation of why forcible  
17 entry was made, the location of the animal, and the fact that authorities  
18 have been notified;

19           (e) The person remains with the animal in a safe location and  
20 protected from the elements but reasonably close to the location of the  
21 motor vehicle until such time as law enforcement, animal control, or  
22 emergency responders arrive; and

23           (f) No more force than reasonably necessary was used to forcibly  
24 enter the vehicle under the circumstances.

25           (2) No person who attempts to administer further aid to an animal  
26 rescued in conformance with this section shall be subject to any criminal  
27 or civil liability for harm or death to the animal.

28           (3) Nothing in this section shall be construed to limit the  
29 liability of any person for death or injury caused to another person.

30           Sec. 2. The Revisor of Statutes shall assign section 1 of this act  
31 to Chapter 28, article 10.