



618588

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
11/17/2015	.	
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The Committee on Criminal Justice (Brandes) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 768.139, Florida Statutes, is created to  
read:

768.139 Rescue of vulnerable person or domestic animal from  
a motor vehicle; immunity from civil liability.-

(1) DEFINITIONS.-As used in this section, the term:

(a) "Domestic animal" means a dog, cat, or other animal



618588

11 that is domesticated and may be kept as a household pet. The  
12 term does not include livestock or other farm animals.

13 (b) "Motor vehicle" has the same meaning as provided in s.  
14 320.01.

15 (c) "Vulnerable person" means:

16 1. A disabled adult as defined in s. 825.101(3).

17 2. An elderly person as defined in s. 825.101(4).

18 3. A minor.

19 (2) IMMUNITY FOR DAMAGE TO MOTOR VEHICLE.—A person who  
20 enters a motor vehicle, by force or otherwise, for the purpose  
21 of removing a vulnerable person or domestic animal is immune  
22 from civil liability for damages to the motor vehicle if the  
23 person:

24 (a) Determines the motor vehicle is locked or there is  
25 otherwise no reasonable method for the vulnerable person or  
26 domestic animal to exit the motor vehicle without assistance.

27 (b) Has a good faith and reasonable belief, based upon the  
28 known circumstances, that entry into the motor vehicle is  
29 necessary because the vulnerable person or domestic animal is in  
30 imminent danger of suffering harm.

31 (c) Ensures that law enforcement is notified before  
32 entering the motor vehicle or immediately thereafter.

33 (d) Uses no more force to enter the motor vehicle and  
34 remove the vulnerable person or domestic animal than is  
35 necessary.

36 (e) Remains with the vulnerable person or domestic animal  
37 in a safe location, in reasonable proximity to the motor  
38 vehicle, until law enforcement or other first responder arrives.

39 (3) APPLICABILITY.—This section does not limit or expand



618588

40 any immunity provided under s. 768.13 for the care or treatment  
41 of the vulnerable person or domestic animal.

42 Section 2. This act shall take effect upon becoming a law.

43 ===== T I T L E A M E N D M E N T =====

44 And the title is amended as follows:

45 Delete everything before the enacting clause  
46 and insert:

47 A bill to be entitled

48 An act relating to unattended persons and animals in  
49 motor vehicles; creating s. 768.139, F.S.; providing  
50 definitions; providing immunity from civil liability  
51 for entry into a motor vehicle to remove a person or  
52 animal under certain circumstances; providing for  
53 applicability; providing an effective date.