

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee
 2 Representative Young offered the following:

Amendment (with title amendment)

5 Remove everything after the enacting clause and insert:

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

8 768.139 Rescue of vulnerable person or domestic animal
 9 from a motor vehicle; immunity from civil liability.-

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

11 (a) "Domestic animal" means a dog, cat, or other animal
 12 that is domesticated and kept as a household pet. The term does
 13 not include livestock or other farm animals.

14 (b) "Motor vehicle" has the same meaning as provided in s.
 15 320.01.

16 (c) "Vulnerable person" means:

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

Amendment No. 1

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

19 3. A minor.

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

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

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

32 (c) Ensures that law enforcement is notified prior to
33 entering the motor vehicle or immediately thereafter.

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

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

40 (3) APPLICABILITY.—This section does not limit or expand
41 any immunity provided under s. 768.13 for the care or treatment
42 of the vulnerable person or domestic animal.

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

Amendment No. 1

44
45
46
47
48
49
50
51
52

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

Remove everything before the enacting clause and insert:
An act relating to unattended persons and animals in motor
vehicles; creating s. 768.139, F.S.; defining terms; providing
immunity from civil liability for entry into a motor vehicle to
remove a person or animal under certain circumstances; providing
for applicability; providing an effective date.