

HOUSE BILL No. 5388

February 18, 2016, Introduced by Rep. Kosowski and referred to the Committee on Judiciary.

A bill to prohibit leaving animals unattended in vehicles under certain circumstances; to prescribe civil sanctions; to authorize individuals to take certain actions to prevent harm to animals; and to provide protection from civil liability for those actions.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "humane care for animals act".

3 Sec. 2. As used in this act:

4 (a) "Extreme heat" means an extremely high temperature, inside
5 or outside of a motor vehicle, that could endanger an animal's
6 health or well-being.

7 (b) "Person" means an individual, partnership, corporation,
8 association, governmental entity, or other legal entity.

1 (c) "Unattended vehicle" means a vehicle that is out of the
2 sight of the owner or operator.

3 (d) "Vehicle" means that term as defined in section 79 of the
4 Michigan vehicle code, 1949 PA 300, MCL 257.79.

5 Sec. 3. (1) An individual who is the owner or operator of a
6 vehicle shall not confine a dog or cat in an unattended vehicle in
7 extreme heat, endangering the health and well-being of the dog or
8 cat.

9 (2) An individual who violates this section is responsible for
10 a state civil infraction and may be ordered to pay a civil fine of
11 not more than \$100.00.

12 Sec. 4. An individual who witnesses an act prohibited under
13 section 3 may contact a police officer, volunteer or professional
14 firefighter, animal control officer, security guard, or other first
15 responder. An individual contacted under this section may take any
16 action to safeguard the dog or cat, including, but not limited to,
17 breaking into the vehicle to remove the dog or cat from the vehicle
18 after a reasonable effort to search for the owner or operator of
19 the vehicle.

20 Sec. 5. An individual who removes a dog or cat from a vehicle
21 under section 4 shall do both of the following:

22 (a) Leave a note in the vehicle or in a conspicuous location
23 stating the individual's name and contact information and the
24 address where the dog or cat can be located.

25 (b) Take the dog or cat to a veterinary hospital or animal
26 clinic for treatment and health screening.

27 Sec. 6. A police officer, volunteer or professional

1 firefighter, animal control officer, security guard, or other first
2 responder and the person that employs the individual or for which
3 the individual is a volunteer are not liable for any damage to
4 property that results from action taken under this act.

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