

LEGISLATURE OF NEBRASKA
FIRST LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 916

A BILL

1 FOR AN ACT relating to offenses against animals; to provide immunity from criminal or
2 civil liability for removal of an animal from a motor vehicle by forcible entry as
3 prescribed; and to provide a duty for the Revisor of Statutes.

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

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

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

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

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

20 (e) The person remains with the animal in a safe location and protected from the

1 elements but reasonably close to the location of the motor vehicle until such time as law
2 enforcement, animal control, or emergency responders arrive; and

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

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

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