



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 1216

PRINTERS NO. 3819

PRIME SPONSOR: Farry

COST / (SAVINGS)

FUND	FY 2018/19	FY 2019/20
General Fund	\$0	\$0

SUMMARY:

House Bill 1216, Printer's Number 3819 amends Title 18 (Crimes and Offenses), Sections 5531 (Definitions), 5532 (Neglect of animal), 5535 (Attack of [Guide] service, guide or support dog) and 7325 (Discrimination on account of [guide, signal or service] service, guide or support dog or other aid animal) Title 42 (Judicial and Judicial Procedure), adding new Section 8340.3 (Rescue from motor vehicle) to further provide for civil immunities when rescuing a dog or cat from a motor vehicle.

ANALYSIS:

HB 1216 amends the Crimes Code by removing certain references in Sections 5535 and 7325 and replacing it with "Service, guide or support dog," as defined in Section 5531. Section 5532 is amended to further provide that a person commits the offense of neglect of an animal if a person fails to provide for the basic needs of each animal to which the person has a duty of care.

HB 1216 amends the Judicial Code providing that any law enforcement officer, humane society police officer, animal control officer or emergency responder who enters an unattended vehicle in order to rescue a dog or cat will not be liable for any damage caused by the rescue of the dog or cat, provided that the person has reasonable belief that the dog or cat is in imminent danger of suffering harm if not removed; reasonable effort was made to locate owner; takes reasonable steps to locate the driver of the motor vehicle; uses no more force than necessary and leaves a note on the vehicle stating the name, location and whereabouts of the dog or cat retrieved.

A person will not be immune from civil liability for any damage resulting from the entry of a motor vehicle if the person's actions constitute gross negligence, recklessness or willful or wanton misconduct.

This legislation will take effect in 60 days.

FISCAL IMPACT:

Enactment of this legislation will have no adverse fiscal impact on Commonwealth funds.

PREPARED BY: Jenny P. Stratton
House Appropriations Committee (R)

DATE: October 16, 2018

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.