

## AB 797 (Steinorth/Santiago)

(Anderson, Bloom, Brown, Campos, Chang, Chavez, Chiu, C. Garcia, E. Garcia, Glazer, Lackey, Maienschein, McCarty, Pavley, Quirk & Waldron)

### The Right to Rescue Act

#### Bill Summary

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AB 797 protects citizens from civil liability for necessary actions taken in good faith to rescue an animal from a hot car.

#### Existing Law

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California law already makes it illegal to leave an animal unattended in a parked vehicle.

California's Good Samaritan Law protects citizens from civil liability for rendering "emergency medical or nonmedical care."

It is unclear, however, whether a person who breaks into a car to rescue an endangered animal would be covered by either of the above statutes.

#### Background

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Every year, thousands of animals succumb to heatstroke in hot, unattended vehicles. The facts are staggering:

- Even on an 80° day, the temperature in a parked car can reach 120° in just 10 minutes.
- On a 90° day, the interior temperature of a vehicle can rise as high as 150°.

These temperatures are unbearable for any person, but especially for animals who do not have sweat glands like humans.

#### Precedent

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In 2015, Tennessee made history by passing a similar measure – the first of its kind in the nation.

Other bills have been passed in Michigan, Wisconsin, Ohio, and Florida. Legislation is pending in New York and Massachusetts.

#### Need for AB 797

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Many concerned citizens come across animals in need of rescue, but aren't sure what to do and fear being sued and/or arrested if they take unauthorized steps to free an animal.

AB 797 lays out the steps that a citizen must take prior to entering a vehicle with the intent to save an animal from extreme heat.

If those steps – which include contacting law enforcement – are followed, AB 797 would protect the Good Samaritan from criminal prosecution of liability for civil damages.

#### History

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08/17/15 Amended in the Senate  
05/23/16 Amended in Senate Judiciary Committee  
05/06/16 Amended in Senate Judiciary Committee  
06/15/16 Senate Judiciary Committee 7-0  
06/28/16 Senate Public Safety Committee 7-0  
08/15/16 Senate Floor 37-0

#### Support

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Civil Justice Association of California  
Humane Society of the United States (Co-Sponsor)  
Humane Society Veterinary Medical Association  
Los Angeles County District Attorney (Co-Sponsor)  
Los Angeles Mayor, Eric Garcetti  
San Diego District Attorney

#### Opposition

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American Kennel Club  
California Federation of Dog Clubs  
The Animal Council

**For More Information**

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