



**ARIZONA STATE SENATE**  
*Fifty-Third Legislature, First Regular Session*

**AMENDED**  
FACT SHEET FOR S.B. 1001

civil liability; minors; animals; vehicle.

Purpose

Exempts a person from civil liability for using reasonable force to enter a locked vehicle to remove a child or pet, under specified circumstances.

Background

Statute classifies leaving an animal unattended and confined in a motor vehicle where physical injury or death is likely to occur as a class 1 misdemeanor ([A.R.S. § 13-2910](#)). Statute is silent on specific penalties for leaving a minor unattended and confined in a motor vehicle, but charges for such offenders have included child abuse, manslaughter and homicide.

Ten states have passed similar *Good Samaritan* statutes. Most other states also require the person to contact authorities before entering the vehicle. Variations in comparable statutes in other states include requiring the person to leave a note with the reason for entry and location of the child or pet, requiring the person to remain in the vicinity until the authorities arrive, and extending immunity to a person removing a *vulnerable adult* from a vehicle (Tennessee H.B. 0537 and Florida H.B. 131).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Exempts from liability in a civil action a person who enters an unattended motor vehicle to remove a child or domestic animal if:
  - a) the person has a good faith belief that the child or domestic animal is in imminent danger of physical injury or death unless the child or domestic animal is removed from the motor vehicle;
  - b) the person determines that the motor vehicle is locked or there is no reasonable manner in which the person can remove the child or domestic animal;
  - c) the person notifies a peace officer, emergency medical service provider or first responder, or an animal control enforcement agent or deputy (authorities) before entering the motor vehicle, if appropriate;

- d) the person does not use more force than is necessary under the circumstances to enter the motor vehicle; and
  - e) the person stays with the child or domestic animal until the authorities arrive.
2. Specifies that a person does not qualify for immunity if the person does not abide by the provisions of this section and commits unnecessary or malicious damage to the motor vehicle.
  3. Defines *domestic animal* as an animal such as a dog or a cat that is domesticated and kept as a household pet.
  4. Becomes effective on the general effective date.

Amendments Adopted by Committee of the Whole

1. Adds requirements that a person must meet to qualify for immunity from civil liability.
2. Specifies which actions disqualify a person for immunity from civil liability.

Senate Action

JUD            1/19/2017    DP    7-0-0

Prepared by Senate Research  
February 10, 2017  
AW/VR/rr