It is enacted by the General Assembly as follows:

SECTION 1. Chapter 4-1 of the General Laws entitled “Cruelty to Animals” is hereby amended by adding thereto the following section:

4-1-3.2. Animal confinement in motor vehicles prohibited. – (a) No owner or person shall confine any animal in a motor vehicle that is done in a manner that places the animal in a life threatening or extreme health threatening situation by exposing it to a prolonged period of extreme heat or cold without proper ventilation or other protection from such heat or cold. In order to protect the health and safety of an animal, an animal control officer, law enforcement officer, or fire fighter who has probable cause to believe that this section is being violated shall have the authority to enter such motor vehicle by any reasonable means necessary under the circumstances after making a reasonable effort to locate the owner or other responsible person.

(b) A law enforcement or animal control officer may take all steps that are reasonably necessary to remove an animal from a motor vehicle if the animal's health, safety, or well-being appears to be in immediate danger from heat, cold, or lack of adequate ventilation and the conditions could reasonably be expected to cause extreme suffering or death.

(c) Nothing in this section shall prevent a law enforcement officer or animal control officer from removing an animal from a motor vehicle if the animal's safety appears to be in immediate danger from heat, cold, lack of adequate ventilation, lack of food or water or other circumstances that could reasonably be expected to cause suffering, disability, or death to the animal. A law enforcement officer or animal control officer may enter the motor vehicle for the
sole purpose of rescue or release of the animal and may not search the vehicle unless otherwise permitted by law.

(d) A law enforcement or animal control officer who removes an animal in accordance with this section shall, in a secure and conspicuous location on or within the motor vehicle, leave written notice bearing the officer's or agent's name and office and the address of the location where the animal may be retrieved. The owner may retrieve the animal only after payment of all charges that have accrued for the maintenance, care, medical treatment, and impoundment of the animal.

(e) A law enforcement or animal control officer who removes an animal from a motor vehicle pursuant to this section is immune from criminal or civil liability that might otherwise result from the removal.

(f) Any person who knowingly violates this section shall be punished by imprisonment for a term not exceeding one year or by a fine of no more than one thousand dollars ($1,000), or both.

SECTION 2. This act shall take effect upon passage.
EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N   A C T
RELATING TO ANIMALS AND ANIMAL HUSBANDRY - CRUELTY

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1. This act would specifically make it a misdemeanor to confine any animal in a motor vehicle if it is done in a manner that places the animal in a life or extreme health threatening situation.

2. This act would take effect upon passage.