

SENATE BILL REPORT

HB 1046

As Passed Senate - Amended, April 14, 2025

Title: An act relating to protecting the vulnerable by providing immunity from civil liability for damage to a motor vehicle arising from the rescue of vulnerable persons or domestic animals.

Brief Description: Protecting the vulnerable by providing immunity from civil liability for damage to a motor vehicle arising from the rescue of vulnerable persons or domestic animals.

Sponsors: Representatives Leavitt, Low, Ryu, Walen, Fitzgibbon, Callan, Bronoske, Peterson, Pollet, Nance, Berg and Fosse.

Brief History: Passed House: 1/30/25, 61-35.

Committee Activity: Law & Justice: 3/13/25, 3/20/25 [DPA, DNP, w/oRec].

Floor Activity: Passed Senate - Amended: 4/14/25, 36-12.

Brief Summary of Bill (As Amended by Senate)

- Grants immunity to civil liability for damage to motor vehicles for people rescuing vulnerable persons or domestic animals if certain requirements are met.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass as amended.

Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Lovick, Salomon, Valdez and Wagoner.

Minority Report: Do not pass.

Signed by Senator Fortunato.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Minority Report: That it be referred without recommendation.

Signed by Senators Holy, Ranking Member; Torres.

Staff: Patrick Moore (786-7535)

Background: Civil Liability and Immunity in General. When one individual causes harm to another or damages property, whether inadvertently or intentionally, the victim can typically bring a civil action in court against the responsible party to recover money damages. Washington provides limited immunity from civil liability to certain individuals engaged in specified activities.

Immunity in Rescue. *Persons.* People who provide nonmedical assistance in an emergency or disaster without compensation are protected from liability unless they act without even a slight degree of care.

Animals. If a domestic animal is confined without necessary food or water for more than 36 hours, any person who gives it necessary food and water is not liable for entering another person's property to do so. Law enforcement and animal control are not liable for property damage they cause in removing an animal from a vehicle or enclosure to protect it from extreme temperatures or lack of air or water if no one with access is immediately willing and able to remove the animal.

Summary of Amended Bill: A person who enters a motor vehicle to remove a vulnerable person or domestic animal is immune from civil liability for damage to the motor vehicle if certain criteria are met.

To qualify for immunity, a person must:

- determine that the vehicle is locked or that there is otherwise no reasonable method for the vulnerable person or domestic animal to get out without help;
- have a good faith and reasonable belief that entry is necessary to prevent imminent harm to the vulnerable person or domestic animal inside;
- ensure law enforcement is notified or 911 is called before or immediately after entering the vehicle;
- use no more force than necessary to enter the vehicle and remove the vulnerable person or domestic animal; and
- remain with the vulnerable person or domestic animal in a safe location near the vehicle until law enforcement, animal control, or other first responders arrive.

A domestic animal is any domesticated animal of a type that may be kept as a household pet, such as a cat or dog.

A vulnerable person is defined as someone who is under the age of 18 years or whose ability to perform normal activities or provide for their own care or protection is impaired due to certain reasons.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: This bill protects people and animals, allowing lives to be saved. This bill does not allow people to break into cars that have animals inside in order to steal property because the bill requires notifying law enforcement and staying with the person or animal and vehicle. Cars can get hot very quickly. The interior of a car can increase 20 degrees within ten minutes in sunny weather. Washington weather can change quickly, going from overcast to sunny. Someone can leave their animal in a car and be caught up in a store when the sun comes out, rapidly increasing the temperature in the car. Animals like dogs cannot regulate their body temperatures as well as humans do so they are susceptible to overheating in a vehicle in these conditions. This happens too often. Thousands of animals suffer or die from overheated cars every year. Law enforcement cannot always arrive fast enough to save someone in a vehicle. People who try to rescue humans or animals from vehicles can be punished for doing so under current law. This bill allows them to act without fear of repercussions. Thirty-one other states have adopted similar measures and have not seen increases in destructive behavior.

Persons Testifying: PRO: Representative Mari Leavitt, Prime Sponsor; Cat Kelly, Animal Legal Defense Fund; Amanda Fox, Animal Rights Initiative.

Persons Signed In To Testify But Not Testifying: No one.