

FIRST REGULAR SESSION

HOUSE BILL NO. 59

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BANGERT.

0073H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 537.555, RSMo, and to enact in lieu thereof one new section relating to immunity from civil liability for forcible entry into a locked vehicle.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 537.555, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 537.555, to read as follows:

537.555. 1. A person shall not be held civilly liable for damages resulting from the forcible entry into a vehicle for the purpose of removing an unsupervised minor **or an animal** if such person:

(1) Determines that the vehicle is locked or there is no other reasonable method for removing the minor **or animal** from the vehicle;

(2) Has a good faith belief that forcible entry into the vehicle is necessary because the minor **or animal** is in imminent danger of suffering harm if not immediately removed from the vehicle;

(3) Contacts emergency response personnel including any firefighter, emergency medical technician, law enforcement officer, registered nurse, physician, or first responder prior to forcibly entering the vehicle;

(4) Remains with the minor **or animal** at a safe location reasonably close to the vehicle until emergency response personnel arrives; and

(5) Uses no more force to enter the vehicle and remove the minor **or animal** from the vehicle than was necessary under the circumstances.

2. Nothing in this section shall provide immunity from civil liability for actions to aid a minor **or animal** in addition to what is authorized by this section.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **3. As used in this section, the term “animal” means every living vertebrate except**
19 **a human being. The term “animal” does not include livestock as defined in section 277.020.**

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