

SECOND REGULAR SESSION

# HOUSE BILL NO. 1269

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BANGERT.

3005H.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Section A. Section 537.555, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 537.555, to read as follows: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**  
20 **277.020.**

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