

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1649

98TH GENERAL ASSEMBLY

Reported from the Committee on Seniors, Families and Children, April 14, 2016, with recommendation that the Senate Committee Substitute do pass.

ADRIANE D. CROUSE, Secretary.

4153S.03C

AN ACT

To amend chapter 537, RSMo, by adding thereto one new section relating to immunity from civil liability for removing a minor from a locked vehicle, with an emergency clause.

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

Section A. Chapter 537, RSMo, is amended by adding thereto one new section, to be known as section 537.555, to read as follows:

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

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

(2) Has a good faith belief that forcible entry into the vehicle is necessary because the minor 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 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 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 in addition to what is authorized by

19 this section.

Section B. Because immediate action is necessary to encourage individuals
2 to assist children who are trapped in motor vehicles, section A of this act is
3 deemed necessary for the immediate preservation of the public health, welfare,
4 peace, and safety, and is hereby declared to be an emergency act within the
5 meaning of the constitution, and section A of this act shall be in full force and
6 effect upon its passage and approval.

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