

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1649
98TH GENERAL ASSEMBLY

4153S.03T

2016

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
2 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
2 the forcible entry into a vehicle for the purpose of removing an unsupervised minor if such
3 person:**

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

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

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

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

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.

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

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

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

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