

Comparative Language in Good Samaritan/Locked Cars Bills

With Respect To: Immunity	Colorado HB17-1179 A person is immune from civil & criminal liability resulting from forced entry into a locked vehicle.	Arizona SB 1001 Limited liability. A person is not immune from civil liability if the person fails to abide by the provisions of this section, or commits unnecessary or malicious damage to the vehicle.	Tennessee 29-34-209 A person whose conduct conforms to the requirements of this subsection shall be immune from civil liability for any damage resulting from forcible entry for the purpose of removing a minor or animal	Florida 768.139 A person who enters a motor vehicle by force or otherwise, for the purpose of removing a vulnerable person or domestic animal is immune from civil liability for damage to the motor vehicle	Ohio 959.133 A person shall be immune from civil liability for any damage resulting from the forcible entry of a motor vehicle for the purpose of removing an animal from the vehicle	Wisconsin 895.484 A person is immune from civil liability for property damage or injury that results from his/her forcible entry into a vehicle if.....	CA AB-797 There shall not be any civil liability on the part of a person for property damage or trespass to a motor vehicle, if the damage was caused while the person was rescuing an animal in accordance with subdivision (b) of Section 597.71 of the Penal Code
Conditions:	At-risk person or animal is present and a good faith belief that person or animal is in imminent danger of death or suffering great bodily injury	Person has Good Faith belief that minor or animal is in imminent danger of suffering physical injury or death	Has a good faith belief that forcible entry is necessary because the minor or animal is in imminent danger of suffering harm if not immediately removed.	Has a good faith and reasonable belief that entry is necessary because the vulnerable person or animal is in imminent danger of suffering harm.	Has a good faith belief that forcible entry into the vehicle is necessary because the animal is in imminent danger of suffering harm if not immediately removed from the vehicle.	A person or animal was present in the vehicle and the actor had a good faith belief that the person or animal was in imminent danger of suffering bodily harm	Has a good faith belief that forcible entry is necessary because the animal is in imminent danger of suffering harm..... circumstance known to the person, the belief is reasonable.
Determinations:	Vehicle is locked and forcible entry is necessary. Person makes reasonable effort to locate owner and documents color, make, model, LP #	The person determines that the motor vehicle is locked.	Determines that the vehicle is locked or there is otherwise no reasonable method for the minor or animal to exit the vehicle.	Determines the motor vehicle is locked or there is otherwise no reasonable method for the vulnerable person or animal to exit the vehicle	Determines the vehicle is locked, or there is otherwise no reasonable method for the animal to exit the vehicle.	Actor determined that the vehicle was locked and that forcible entry was necessary	Determines the vehicle is locked or there is otherwise no reasonable manner for the animal to be removed.

With Respect To: Contacts:	Colorado HB17-1079 Person contacts Local Law Enforcement, Fire Dept., Animal Control, or 911 Operator prior to forcibly entering, and person does not hinder, interfere, or fail to obey a lawful order	Arizona SB 1001 Before entering the vehicle, person notifies a peace officer, emergency medical service, first responder, or an animal control agent	Tennessee 29-34-209 Has contacted either local law enforcement agency, the fire department, or a 911 operator prior to forcibly entering the vehicle.	Florida 768.139	Ohio 959.133 Has made a good faith effort to contact local law enforcement agency, the fire department, or a 911 operator prior to forcibly entering the vehicle.	Wisconsin 895.484 Actor dialed the telephone number 911 or otherwise contacted law enforcement, emergency medical services, or animal control before she/she forcibly entered the vehicle	CA AB-797 Has contacted a local law enforcement agency, the fire department, animal control, or 911 emergency service prior to forcibly entering the vehicle.
Force Level:	Person uses no more force than he/she believes is reasonably necessary	Person does not use more force than is necessary under the circumstances.	Used no more force than necessary under the circumstances.	Uses no more force to enter the motor vehicle than is necessary.	Used not more force to enter the vehicle and remove the animal from the vehicle than was necessary	The actor used no more force than he/she reasonably believed necessary to enter the vehicle.	Used no more force to enter the vehicle and remove the animal than was necessary.
Remaining on scene:	Person rendering assistance remains with the at-risk person or animal, reasonably close to the vehicle, until a law enforcement officer, EMR, Animal Control Officer or other First Responder arrives at the scene.	Person remains with the minor or domestic animal until.....	Remains with the minor or animal in a safe location, out of the elements but reasonably close to the vehicle, until law enforcement, fire, or another emergency responder arrives	Remains with the vulnerable person or domestic animal in a safe location in reasonable proximity to the motor vehicle, until law enforcement or other first responder arrives.	Remains with the animal in a safe location until law enforcement or emergency responders arrive.	The actor remained with the person or animal until law enforcement, emergency medical service provider, animal control officer, or other first responder arrived at the scene.	Remains with the animal in a safe location, out of the elements but reasonably close to the vehicle, until a peace officer, humane officer, animal control officer, or another emergency responder arrives.
With Respect To:	Colorado HB17-1079	Arizona SB 1001	Tennessee 29-34-209	Florida 768.139	Ohio 959.133	Wisconsin 895.484	CA AB-797

<p>If Person cannot remain on scene</p>	<p>Place a notice on the windshield of the vehicle that includes his/her name and contact information, and contact information to which the person took the at-risk person or animal when he/she left the scene.</p>		<p>Places a notice on the vehicle's windshield with person's contact information, reason entry was made, the location of the minor or animal, and the fact that authorities have been notified.</p>		<p>Makes a good faith effort to place a notice on the vehicle's windshield with the person's contact information, the reason entry was made, and the location of the animal.</p>	<p>If actor left the scene before the owner returned to the scene, actor placed a notice on the windshield of the vehicle that included his/her name, telephone number, and mailing address, the reason he/she entered the vehicle, and the location of the person or animal.</p>	
<p>If Person cannot remain on scene, then contact</p>	<p>Contact law enforcement, animal control, or other first responder to advise them of his/her name, contact info, that person is leaving the scene AND name & contact info of location to which person is taking animal</p>						