

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Bill No. 1649, Pages 1-2, Section 537.039, Lines 4-22, by deleting all of said lines  
2 and inserting in lieu thereof the following:

3  
4 "2. The provisions of subsection 1 of this section apply if the person has a good faith belief that  
5 forcible entry into the vehicle is necessary because the minor is in imminent danger of suffering  
6 harm if not immediately removed from the vehicle and, based upon the circumstances known to the  
7 person at the time, the belief is a reasonable one.

8 3. In determining whether the standard set forth in subsection 2 of this section has been met,  
9 the factfinder may consider the totality of the circumstances including, but not limited to, whether  
10 the person:

11 (1) Determined the vehicle was locked or there was otherwise no reasonable method for the  
12 minor to exit the vehicle;

13 (2) Attempted to contact either the local law enforcement agency, the fire department, or a  
14 911 operator prior to forcibly entering the vehicle;

15 (3) Placed a notice on the vehicle's windshield with the person's contact information, the  
16 reason the entry was made, the location of the minor, and the fact that the authorities have been  
17 notified;

18 (4) Remained with the minor in a safe location, out of the elements but reasonably close to  
19 the vehicle, until law enforcement, fire, or another emergency responder arrived; and

20 (5) Used no more force to enter the vehicle and remove the minor from the vehicle than was  
21 necessary under the circumstances.

22 4. Nothing in this section shall affect the person's civil liability if the person attempts to  
23 render aid to the minor in addition to what is authorized by this section."; and

24  
25 Further amend said bill by amending the title, enacting clause, and intersectional references  
26 accordingly.  
27

Standing Action Taken \_\_\_\_\_ Date \_\_\_\_\_

Select Action Taken \_\_\_\_\_ Date \_\_\_\_\_