

1 ENGROSSED HOUSE  
2 BILL NO. 3399

By: Sterling of the House

3 and

4 Sharp of the Senate  
5

6 An Act relating to motor vehicles; providing civil  
7 immunity for removing animal from motor vehicle using  
8 forcible entry; listing compliance requirements to  
9 receive immunity; providing for codification; and  
10 providing an effective date.

11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 11-1121 of Title 47, unless  
14 there is created a duplication in numbering, reads as follows:

15 A law enforcement officer and the employing agency or department  
16 shall be immune from civil liability for any damage resulting from  
17 the forcible entry into a motor vehicle for the purpose of removing  
18 an animal from the motor vehicle if the officer:

19 1. Determines the motor vehicle is locked or there is otherwise  
20 no reasonable method for the animal to exit the motor vehicle;

21 2. Has reasonable cause to believe that forcible entry into the  
22 motor vehicle is necessary because the animal is in imminent danger  
23 of suffering harm if not immediately removed from the motor vehicle  
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1 and, based upon the circumstances known to the officer at the time,  
2 the belief is a reasonable one;

3 3. Places a notice on the motor vehicle windshield with the  
4 officer's contact information, the reason the entry was made and the  
5 location of the animal;

6 4. Sends the animal to an animal shelter or remains with the  
7 animal in a safe location, out of the elements but reasonably close  
8 to the motor vehicle; and

9 5. Uses no more force to enter the motor vehicle and remove the  
10 animal from the motor vehicle than is necessary under the  
11 circumstances.

12 SECTION 2. This act shall become effective November 1, 2020.

13 Passed the House of Representatives the 24th day of February,  
14 2020.

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Presiding Officer of the House  
17 of Representatives

18 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2020.

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Presiding Officer of the Senate  
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