

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 HOUSE BILL 3399

By: Sterling

7 AS INTRODUCED

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

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

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

17 A law enforcement officer shall be immune from civil liability
18 for any damage resulting from the forcible entry into a motor
19 vehicle for the purpose of removing an animal from the motor vehicle
20 if the officer:

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

23 2. Has a good-faith belief that forcible entry into the motor
24 vehicle is necessary because the animal is in imminent danger of

1 suffering harm if not immediately removed from the motor vehicle
2 and, based upon the circumstances known to the officer at the time,
3 the belief is a reasonable one;

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

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

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

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

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15 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/06/2020 - DO
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