

HOUSE BILL No. 2516

By Committee on Federal and State Affairs

1-22

1 AN ACT concerning civil actions; relating to immunity from liability;
2 unattended persons and animals.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) As used in this section:

6 (1) "Domestic animal" means a dog, cat or other animal that is
7 domesticated and may be kept as a household pet. "Domestic animal" does
8 not include livestock, as defined in K.S.A. 47-1001, and amendments
9 thereto, or other farm animals.

10 (2) "Motor vehicle" means the same as specified in K.S.A. 8-126, and
11 amendments thereto.

12 (3) "Vulnerable person" means a minor or an adult whose ability to
13 perform the normal activities of daily living or to provide for such adult's
14 own care or protection is impaired due to a mental, emotional, sensory,
15 long-term physical, or developmental disability or dysfunction, brain
16 damage, or the infirmities of aging.

17 (b) A person who enters a motor vehicle, by force or otherwise, for
18 the purpose of removing a vulnerable person or domestic animal is
19 immune from civil liability for damage to the motor vehicle if such person:

20 (1) Determines the motor vehicle is locked or there is otherwise no
21 reasonable method for the vulnerable person or domestic animal to exit the
22 motor vehicle without assistance;

23 (2) has a good faith and reasonable belief, based upon known
24 circumstances, that entry into the motor vehicle is necessary because the
25 vulnerable person or domestic animal is in imminent danger of suffering
26 harm;

27 (3) ensures that law enforcement is notified or calls 911 before
28 entering the motor vehicle or immediately thereafter;

29 (4) uses no more force to enter the motor vehicle and remove the
30 vulnerable person or domestic animal than is necessary; and

31 (5) remains with the vulnerable person or domestic animal in a safe
32 location, in reasonable proximity to the motor vehicle, until law
33 enforcement or a first responder arrives.

34 Sec. 2. This act shall take effect and be in force from and after its
35 publication in the statute book.