**South Carolina General Assembly**

121st Session, 2015-2016

**H. 3219**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Lucas, Long, Douglas, Hixon, G.R. Smith and McKnight

Document Path: l:\council\bills\nbd\11005cz15.docx

Companion/Similar bill(s): 3145

Introduced in the House on January 13, 2015

Currently residing in the House Committee on **Judiciary**

Summary: Civil liability immunity

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/18/2014 House Prefiled

12/18/2014 House Referred to Committee on **Judiciary**

1/13/2015 House Introduced and read first time ([House Journal‑page 153](file:///h:\HJ%20Archive\2015\01-13-15.docx))

1/13/2015 House Referred to Committee on **Judiciary** ([House Journal‑page 153](file:///h:\HJ%20Archive\2015\01-13-15.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3219&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/18/2014](file:///p:\pprever\2015-16\3219_20141218.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 15‑1‑315 SO AS TO PROVIDE CIVIL LIABILITY IMMUNITY FOR A PERSON WHO FORCIBLY ENTERS A MOTOR VEHICLE FOR THE PURPOSE OF REMOVING A MINOR FROM THE VEHICLE UNDER CERTAIN CIRCUMSTANCES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 1, Title 15 of the 1976 Code is amended by adding:

“Section 15‑1‑315. (A) A person who forcibly enters a motor vehicle to remove a minor from the vehicle is immune from civil liability for damages resulting from the forcible entry if he:

(1) determines the vehicle is locked or no other reasonable method exists for the minor to exit the vehicle;

(2) has a good faith and reasonable belief that forcible entry is necessary because the minor is in imminent danger of suffering harm if not immediately removed from the vehicle;

(3) contacts a local or state law enforcement agency or emergency medical services provider regarding the forcible entry into a motor vehicle to remove a minor;

(4) remains with the minor in a safe location that is reasonably close to the vehicle until a local or state law enforcement agency or emergency medical services provider responds; and

(5) uses no more force than necessary to the enter vehicle and remove the minor under the circumstances.

(B) The responding local or state law enforcement agency or emergency medical services provider, as soon as practicable, must place a notice on the vehicle stating the current location of the minor.

(C) The provisions of this section do not apply to a person whose acts or omissions amount to gross negligence or wilful or wanton misconduct.

(D) This section may not be construed to affect immunity from civil liability for a person who attempts to render emergency care pursuant to Section 15‑1‑310.”

SECTION 2. This act takes effect upon approval by the Governor.

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