



## State of Connecticut

### HOUSE OF REPRESENTATIVES STATE CAPITOL

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**CHAIR**  
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**MEMBER**  
JUDICIARY COMMITTEE  
PUBLIC HEALTH COMMITTEE

Judiciary Committee  
March 23, 2015

#### TESTIMONY IN SUPPORT OF HOUSE BILL 6963 AN ACT CONCERNING LEGAL PROTECTIONS FOR PERSONS ENTERING CARS TO RENDER EMERGENCY ASSISTANCE TO CHILDREN.

Senator Coleman, Representative Tong, Senator Kissel, Representative Rebimbas and the entire membership of the Judiciary Committee:

I write in strong support of *H.B. 6963 - AN ACT CONCERNING LEGAL PROTECTIONS FOR PERSONS ENTERING CARS TO RENDER EMERGENCY ASSISTANCE TO CHILDREN*. This bill seeks to provide immunity to an individual that forcefully enters a vehicle in order to remove a child from imminent danger. In April of last year the State of Tennessee passed legislation mirroring the intent of the bill you are considering today. Attached to this testimony is a copy of that language for your review.

A child's body heats up and cools off significantly faster than adults. Even on a 60 degree day it only takes about 20 minutes for the temperature in a vehicle to climb high enough to be deadly to a youth. Consequently, time and exposure are the two critical factors impacting a child left in such circumstances. The passage of this bill will reduce the time a child must endure in a dangerous situation, and hopefully save a life.

In February of this year there was a case of a child being left in a car, unattended, in the extreme cold here in Connecticut. The incident was reported by employees of the business where the vehicle was parked. However, the child remained in the vehicle. In passing legislation like the one before you today, dangerous situations like these will be avoided.

This bill allows any individual who notices a child in danger to act accordingly. I urge you and our colleagues to support this legislation.

Kind Regards,

A handwritten signature in cursive script that reads "Christie M. Carpino".

Christie Carpino  
State Representative, 32<sup>nd</sup> District

**STATE OF TENNESSEE**  
**PUBLIC CHAPTER NO. 788**  
**HOUSE BILL NO. 1943**

AN ACT to amend Tennessee Code Annotated, Title 29, Chapter 34, Part 2, relative to civil immunity for certain actions involving a motor vehicle.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, Part 2, is amended by adding the following as a new section:

29-34-209 (a) A person whose conduct conforms to the requirements of subsection (b) shall be immune from civil liability for any damage resulting from the forcible entry of a motor vehicle for the purpose of removing a minor from the vehicle.

(b) Subsection (a) applies if the person: (1) Determines the vehicle is locked or there is otherwise no reasonable method for the minor to exit the vehicle; (2) Has a good faith belief that forcible entry into the vehicle is necessary because the minor is in imminent danger of suffering harm if not immediately removed from the vehicle and, based upon the circumstances known to the person at the time, the belief is a reasonable one; (3) Has contacted either the local law enforcement agency, the fire department or the 911 operator prior to forcibly entering the vehicle; (4) Places a notice on the vehicle's windshield with the person's contact information, the reason the entry was made, the location of the minor and that the authorities have been notified; (5) Remains with the minor in a safe location, out of the elements but reasonably close to the vehicle until law enforcement, fire or other emergency responder arrives; and (6) Used no more force to enter the vehicle and remove the child from the vehicle than is necessary under the circumstances.

(c) Nothing in this section shall affect the person's civil liability if the person attempts to render aid to the minor in addition to what is authorized by this section.

SECTION 2. This act shall take effect July 1 2014, the public welfare requiring it.