



General Assembly

Raised Bill No. 5365

February Session, 2016

LCO No. 1624

* _____ HB05365JUD ___031716___ *

Referred to Committee on JUDICIARY

Introduced by:
(JUD)

**AN ACT CONCERNING LEGAL PROTECTIONS FOR PERSONS
ENTERING CARS TO RENDER EMERGENCY ASSISTANCE TO
CHILDREN.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) Notwithstanding any
2 provision of the general statutes, a person who enters the vehicle of
3 another, including entry by force, to remove a child from the vehicle
4 shall have an affirmative defense against any civil damages or criminal
5 penalties resulting from the acts or omissions by such person in
6 removing the child from the vehicle, if such person:

7 (1) Has a reasonable belief, at the time such person enters the
8 vehicle, that such entry is necessary to remove the child from
9 imminent danger of serious bodily injury;

10 (2) Uses no more force than reasonably necessary under the
11 circumstances to enter the vehicle to remove the child from imminent
12 danger of serious bodily injury based upon the circumstances known
13 by such person at the time;

14 (3) Reports the entry and the circumstances surrounding such entry

15 to a law enforcement agency or public safety agency within a
16 reasonable period of time after entering the vehicle; and

17 (4) Takes reasonable steps to ensure the safety, health and well-
18 being of the child after removing the child from the vehicle.

19 (b) The affirmative defense provided in subsection (a) of this section
20 shall not apply to acts or omissions constituting gross, wilful or
21 wanton negligence.

22 (c) Nothing in this section shall affect a person's civil liability if the
23 person attempts to render aid to the child in addition to the aid that is
24 authorized under this section.

25 (d) The provisions of this section are not exclusive, and the
26 affirmative defense shall be in addition to any other defenses or
27 immunities provided by state or federal law or which are available
28 under common law.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

JUD *Joint Favorable*