



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

<b>2015 Assembly Bill 308</b>	<b>Assembly Amendment 1</b>
<i>Memo published:</i> October 16, 2015 <i>Contact:</i> Jessica Karls-Ruplinger, Deputy Director (266-2230)	

### **2015 ASSEMBLY BILL 308**

Assembly Bill 308 provides that a person is immune from civil liability for property damage or injury that results from his or her forcible entry into a vehicle if a person or domestic animal was present in the vehicle and the actor had a good faith belief that the person or domestic animal was in imminent danger of suffering bodily harm unless he or she exited or was removed from the vehicle.

Under the bill, the immunity applies if the actor determined that the vehicle was locked and that forcible entry was necessary; remained with the person or domestic animal until a first responder arrived at the scene; used no more force than necessary to enter the vehicle; and, if the actor left the scene, placed a notice with certain information on the vehicle's windshield. In addition, the bill requires the actor to dial "911" or otherwise contact law enforcement, emergency medical services, or animal control before, **or as soon after as was practicable**, he or she forcibly enters the vehicle.

### **ASSEMBLY AMENDMENT 1**

Assembly Amendment 1 deletes "or as soon after as was practicable" in the requirement for the actor to contact law enforcement, emergency medical services, or animal control. Thus, under the amendment, for the immunity to apply, the actor must dial "911" or otherwise contact law enforcement, emergency medical services, or animal control before he or she forcibly enters the vehicle.

**BILL HISTORY**

On August 31, 2015, Representatives Ohnstad and Kerkman offered Assembly Amendment 1 to Assembly Bill 308. On October 1, 2015, the Assembly Committee on Judiciary recommended adoption of the amendment and passage of the bill, as amended, on votes of Ayes, 7; Noes, 0.

JKR:ty