

State of Wisconsin



2015 Assembly Bill 308

Date of enactment: **November 11, 2015**

Date of publication*: **November 12, 2015**

2015 WISCONSIN ACT 103

AN ACT to create 895.484 of the statutes; **relating to:** providing an exemption from civil liability for forcibly entering a vehicle under certain circumstances.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 895.484 of the statutes is created to read:

895.484 Civil liability exemption; entering a vehicle to render assistance. (1) In this section:

(a) "Domestic animal" means a dog, cat, or other animal that is domesticated and kept as a household pet, but does not include a farm animal, as defined in s. 951.01 (3).

(b) "Vehicle" means a motor vehicle, or any other vehicle, that is used to transport persons or cargo and that is enclosed.

(2) A person is immune from civil liability for property damage or injury that results from his or her forcible entry into a vehicle if all of the following are true:

(a) A person or a 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.

(b) The actor determined that the vehicle was locked and that forcible entry was necessary to enable the actor

to enter the vehicle or to enable the person or domestic animal to be removed from or to exit the vehicle.

(c) The actor dialed the telephone number "911" or otherwise contacted law enforcement, emergency medical services, or animal control before he or she forcibly entered the vehicle.

(d) The actor remained with the person or domestic animal until a law enforcement officer, emergency medical service provider, animal control officer, or other first responder arrived at the scene.

(e) The actor used no more force than he or she reasonably believed necessary to enter the vehicle in order to remove the person or domestic animal or to allow the person or domestic animal to exit the vehicle.

(f) If the actor left the scene before the owner or operator of the vehicle returned to the scene, the actor placed a notice on the windshield of the vehicle that included his or her name, telephone number, and mailing address, the reason he or she entered the vehicle, and the location, if known, of the person or domestic animal when the actor left the scene.

SECTION 2. Initial applicability.

(1) This act first applies to entries that are made on the effective date of this subsection.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."