

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE BILL 2385

By: Sterling

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6 AS INTRODUCED

7 An Act relating to motor vehicles; providing civil
8 immunity for removing animal from motor vehicle using
9 forcible entry; listing compliance requirements to
10 receive immunity; providing for codification; and
11 providing an effective date.

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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 11-1121 of Title 47, unless
16 there is created a duplication in numbering, reads as follows:

17 A law enforcement officer and the officer's employing agency or
18 department shall be immune from civil liability for any damage
19 resulting from the forcible entry into a motor vehicle for the
20 purpose of removing an animal from the motor vehicle if the officer:

21 1. Determines the motor vehicle is locked or there is otherwise
22 no reasonable method for the animal to exit the motor vehicle;

23 2. Has reasonable cause to believe that forcible entry into the
24 motor vehicle is necessary because the animal is in imminent danger

1 of suffering harm if not immediately removed from the motor vehicle
2 and, based upon the circumstances known to the officer at the time,
3 the belief is a reasonable one;

4 3. Places a notice on the motor vehicle windshield with the
5 officer's contact information, the reason the entry was made and the
6 location of the animal;

7 4. Sends the animal to an animal shelter or remains with the
8 animal in a safe location, out of the elements but reasonably close
9 to the motor vehicle; and

10 5. Uses no more force to enter the motor vehicle and remove the
11 animal from the motor vehicle than is necessary under the
12 circumstances.

13 SECTION 2. This act shall become effective November 1, 2021.

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15 58-1-5726 JBH 12/14/20

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