**South Carolina General Assembly**

121st Session, 2015-2016

**H. 4476**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Limehouse, V.S. Moss, Clyburn and Atwater

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Introduced in the House on January 12, 2016

Currently residing in the House Committee on **Judiciary**

Summary: Removing a minor or an animal from a motor vehicle

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/3/2015 House Prefiled

12/3/2015 House Referred to Committee on **Judiciary**

1/12/2016 House Introduced and read first time ([House Journal‑page 75](file:///h:\HJ%20Archive\2016\01-12-16.docx))

1/12/2016 House Referred to Committee on **Judiciary** ([House Journal‑page 75](file:///h:\HJ%20Archive\2016\01-12-16.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4476&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/3/2015](file:///p:\pprever\2015-16\4476_20151203.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 15-1-315 SO AS TO PROVIDE THAT ANY PERSON MAY ENTER AND REMOVE A MINOR OR AN ANIMAL FROM A MOTOR VEHICLE IF THE MINOR OR ANIMAL IS EXPERIENCING A LIFE THREATENING OR EXTREME HEALTH THREATENING SITUATION, AND TO PROVIDE THAT A PERSON WHO REMOVES A MINOR OR AN ANIMAL PURSUANT TO THIS SECTION IS IMMUNE FROM CRIMINAL AND CIVIL LIABILITY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 1, Title 15 of the 1976 Code is amended by adding:

“Section 15‑1‑315. (A) A person may not confine any minor or animal in a motor vehicle which is done in a manner that places the minor or animal in a life threatening or extreme health threatening situation by exposing them to a prolonged period of extreme heat or cold without proper ventilation or protection from heat or cold.

(B) In order to protect the health and safety of a minor or an animal, any person who has probable cause to believe that subsection (A) is being violated has the authority to:

(1) enter a motor vehicle by any reasonable means necessary under the circumstances, after making a reasonable effort to locate the owner or other responsible person; and

(2) take all steps that are reasonably necessary to remove the minor or animal from a motor vehicle if the minor’s or animal’s health, safety, or well-being appears to be in immediate danger from heat, cold, or lack of adequate ventilation and the conditions could reasonably be expected to cause extreme suffering or death.

(C) A person who removes a minor or an animal from a motor vehicle pursuant to this section is immune from criminal or civil liability that might otherwise result from the removal, except for acts or omissions amounting to gross negligence or wilful or wanton misconduct.”

SECTION 2. This act takes effect upon approval by the Governor.

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