

House Bill 434

By: Representatives Reeves of the 34<sup>th</sup>, Cooper of the 43<sup>rd</sup>, Evans of the 42<sup>nd</sup>, Kelley of the 16<sup>th</sup>, Carson of the 46<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to  
2 general provisions regarding torts, so as to provide for civil immunity for a person who  
3 causes property damage resulting from the forcible entry of a motor vehicle for the purpose  
4 of removing a minor from such vehicle due to the belief of imminent danger to the minor;  
5 to provide for a definition; to provide a short title; to provide for related matters; to repeal  
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be referred to as "Cooper's Law."

10 **SECTION 2.**

11 Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to general  
12 provisions regarding torts, is amended by adding a new Code section to read as follows:

13 "51-1-29.6.

14 (a) As used in this Code section, the term 'motor vehicle' has the same meaning as in Code  
15 Section 40-1-1.

16 (b) A person whose conduct conforms to the following requirements shall be immune from  
17 civil liability for any property damage resulting from the forcible entry of a motor vehicle  
18 for the purpose of removing a minor from such vehicle:

19 (1) Determines that the vehicle is locked or there is otherwise no reasonable method for  
20 the minor to exit the vehicle;

21 (2) Has a good faith belief that forcible entry into the vehicle is necessary because the  
22 minor is in imminent danger of suffering harm if not immediately removed from the  
23 vehicle and, based upon the circumstances known to the person at the time, the belief is  
24 a reasonable one;

- 25 (3) Places a notice on the vehicle's windshield with his or her contact information, the  
26 reason the entry was made and the location of the minor;  
27 (4) Remains with the minor in a safe location, out of the elements but reasonably close  
28 to the vehicle, until the minor's parent or caretaker or law enforcement personnel, fire  
29 department personnel, or other emergency responders arrive; and  
30 (5) Uses no more force to enter the vehicle and remove the minor from the vehicle than  
31 was necessary under the circumstances."

32 **SECTION 3.**

33 All laws and parts of laws in conflict with this Act are repealed.