



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: S.B. 215 of the 131st G.A.

Date: February 18, 2016

Status: As Passed by the Senate

Sponsor: Sens. Hughes and LaRose

Local Impact Statement Procedure Required: No

Contents: Provides civil immunity for forcible entry of a motor vehicle to remove a minor or an animal in danger

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- No direct fiscal effect on political subdivisions, specifically common pleas, municipal, and county courts with jurisdiction over civil actions.

Detailed Fiscal Analysis

The bill provides civil immunity for any damage resulting from the forcible entry into a motor vehicle for the purpose of removing a minor or an animal if: (1) the person has a good faith belief that the minor or the animal is in imminent danger of suffering harm, and (2) the person follows specified procedures.

If the owner of the above motor vehicle were to seek damages, that owner would, depending upon the amount in controversy, file a civil action in the appropriate common pleas, municipal, or county court. Although data on these forcible entry situations in Ohio is not tracked, national data from a variety of sources indicates that there were around 20 child vehicular heat stroke fatalities in Ohio over the past 25 years. Anecdotal information suggests that the filing of a civil action in Ohio related to forcible entry into a motor vehicle to aid a minor or animal is relatively infrequent. The bill's immunity provision is not likely to make the filing of a civil action any more or less likely. The court may, however, have to expend some additional time and effort in determining whether the defendant followed the specified procedures that provide immunity from civil liability. There will be no discernible cost for the court to do so.