



Tod Ohnstad

STATE REPRESENTATIVE

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Ohnstad Good Samaritan Bill Signed Into Law

Assembly Bill 308 will protect individuals who rescue children, pets from hot cars

MADISON – This morning, Governor Scott Walker signed Assembly Bill 308 into law. The bill, co-authored by Reps. Tod Ohnstad (D-Kenosha) and Samantha Kerkman (R-Salem) and Sen. Bob Wirch (D-Somers), would exempt from civil liability a Good Samaritan who rescues a vulnerable individual or pet from an overheated locked car. Sen. Van Wanggaard (R-Racine) signed on as a cosponsor during the committee he chaired.

Rep. Ohnstad released the following statement after the signing ceremony:

“This bill has truly been a community-led effort. It began as an idea in September 2014, when the Kenosha City Council, led by Alderman Rocco LaMacchia, unanimously passed a resolution calling for protections for Good Samaritans in these situations. During the past year, I have worked with Alderman LaMacchia and the City Council, Kenosha Chief of Police John Morrissey, Rep. Kerkman, Sens. Wirch and Wanggaard, and other legislators to craft, amend, and pass this bill. I am thankful for the broad bipartisan backing this legislation has seen, and appreciate the support of Governor Walker.”

Unfortunately, this year alone 24 children in the US have died from heatstroke as a result of being left in a hot car. Thankfully, this number is down from previous years, with 31 deaths in 2014 and 44 in 2013. Since 1998, an average of 37 children per year have died from being left in a hot car. In addition, countless pets around the country die each year from similar circumstances.

Under the bill, an individual who reasonably believes a person or pet is in danger of harm while trapped in a car must call “911,” emergency medical services, or animal control before entering the vehicle. After they rescue the individual or pet, the actor must remain on scene until a first responder arrives. In following these reasonable steps, the Good Samaritan would be exempt from any civil liability for damage to a vehicle. The bill aims to save precious seconds when a person must make a decision on whether to break into a hot car.

AB 308 passed by voice vote in the Assembly on October 27th and the Senate on November 6th. At the signing ceremony this morning, Rep. Ohnstad was joined by members of his staff, representatives from the Wisconsin Chapters of The Humane Society and American Academy of Pediatrics, and Kenosha Alderman Rocco LaMacchia, who was instrumental in helping to pass this legislation.

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65th ASSEMBLY DISTRICT