
Judiciary Committee

SSB 5185

Title: An act relating to immunity from liability for professional or trade associations providing emergency response volunteers.

Brief Description: Providing immunity from liability for professional or trade associations providing emergency response volunteers.

Sponsors: Senate Committee on State Government (originally sponsored by Senators Wilson, Mullet and Palumbo).

<p style="text-align: center;">Brief Summary of Substitute Bill</p> <ul style="list-style-type: none">• Provides that the immunity for acts or omissions of a covered volunteer emergency worker while engaged in covered activities extends to any professional or trade association of covered volunteer emergency workers.
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Hearing Date: 3/15/17

Staff: Edie Adams (786-7180).

Background:

The state's Emergency Management Act (EMA) establishes a comprehensive program of emergency management in the state, which is administered by the Military Department (Department) under the direction of the state's Adjutant General. As part of the emergency management program, each county, city, and town must establish a local organization or join a joint local organization for emergency management.

The EMA grants immunity from liability for the acts of covered volunteer emergency workers while engaged in a covered activity. "Covered activity" means providing assistance or transportation during an emergency or disaster or a search and rescue, or participating in a training or exercise in preparation for an emergency or disaster or a search and rescue. Covered volunteer emergency workers are volunteers who are registered as emergency workers with the

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local emergency management organization or the Department. The covered volunteer emergency worker immunity extends to:

- the covered volunteer emergency worker;
- the covered volunteer emergency worker 's supervisor and employer;
- any facility or their officers or employees;
- the owner of the property or vehicle where the act or omission may have occurred;
- any local organization that registered the volunteer; and
- the state or any state or local governmental entity.

The immunity applies only when the covered volunteer emergency worker was engaged in an activity within his or her assigned duties and under the direction of a local emergency management organization or the Department, and only if the covered volunteer emergency worker's act or omission does not constitute gross negligence or willful or wanton misconduct.

Summary of Bill:

The immunity provided for acts or omissions of covered volunteer emergency workers while providing assistance or transportation during an emergency or search and rescue, or while participating in a training or exercise in preparation for an emergency or search and rescue, extends to any professional or trade association of covered volunteer emergency workers.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.