

# SENATE BILL REPORT

## SB 5185

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As Reported by Senate Committee On:  
State Government, February 8, 2017

**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:** Senators Wilson, Mullet and Palumbo.

**Brief History:**

**Committee Activity:** State Government: 1/27/17, 2/08/17 [DPS].

**Brief Summary of Substitute Bill**

- Extends immunity from liability for damages authorized under statute to professional or trade organization of covered volunteer emergency workers.

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### SENATE COMMITTEE ON STATE GOVERNMENT

**Majority Report:** That Substitute Senate Bill No. 5185 be substituted therefor, and the substitute bill do pass.

Signed by Senators Miloscia, Chair; Zeiger, Vice Chair; Hunt, Ranking Minority Member; Kuderer and Pearson.

**Staff:** Melissa Van Gorkom (786-7491)

**Background:** Under current law, no act or omission by a covered volunteer emergency worker while engaged in a covered activity imposes any liability for civil damages resulting from that action for a list of entities, including the employer of the covered volunteer emergency worker.

Emergency worker means any person who is:

- not receiving or expecting compensation from the state or local government;
- not a state or local government employee unless on leave without pay status; and

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- registered with and holds an identification card issued by the state or local emergency management director for the purpose of engaging in authorized emergency management activities.

Volunteers who are registered as emergency workers are immune from liability for damages that arise while:

- providing assistance or transportation during an emergency or disaster or participating in an approved training or exercise in preparation for an emergency disaster; or
- traveling to or from an emergency or disaster, search and rescue, or training exercise authorized by the Military Department.

This immunity extends to the volunteers' supervisor, health care facilities and employees, property and vehicle owners, the local organization that registered the volunteer, and the state and state or local government entities.

**Summary of Bill:** The bill as referred to committee not considered.

**Summary of Bill (First Substitute):** The immunity afforded to volunteer emergency workers or their employers for damages that arise while:

- providing assistance or transportation during an emergency or disaster or participating in an approved training or exercise in preparation for an emergency disaster; or
- traveling to or from an emergency or disaster, search and rescue, or training exercise authorized by the Military Department.

is extended to include any professional or trade association of covered volunteer emergency workers.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on First Substitute:** PRO: It will take an entire community working alongside other volunteers to get through a large disaster. Local authorities will not have the manpower to handle disasters on their own. The state will need volunteer engineers, architects, and building inspectors to help local cities and towns determine the damage in order to get people back into housing. Associations are statewide organizations and provide training and services to get people prepared and dispatch them to the emergency operations centers. This change would cover associations for providing this training and volunteer resources for emergency response.

**Persons Testifying:** PRO: Senator Lynda Wilson, Prime Sponsor; Ray Cockerham, Washington Association of Building Officials; Paul Brallier, SEAW; Cliff Webster, Architects & Engineers Legislative Council; Nancy Bickford, Washington Military Department - Emergency Management.

**Persons Signed In To Testify But Not Testifying:** No one.