

1 HB68
2 155969-1
3 By Representative Baughn
4 RFD: Judiciary
5 First Read: 14-JAN-14
6 PFD: 12/18/2013

2
3
4
5
6
7
8 SYNOPSIS: Under existing law, any member of any
9 organized rescue squad or volunteer nonprofit fire
10 department who enters a burning or endangered
11 building, house, or structure and makes efforts to
12 preserve and protect property therein is not liable
13 for any civil damages resulting from rendering the
14 assistance except for wanton misconduct.

15 This bill would further expand the
16 protection from civil liability to include
17 instances when a member responds to a 911 call or
18 other emergency call to render medical assistance
19 or other emergency medical service.

20
21 A BILL
22 TO BE ENTITLED
23 AN ACT

24
25 To amend Section 6-5-335, Code of Alabama 1975,
26 relating to civil liability of volunteer fire departments and
27 rescue squads; to expand the protection from civil liability

1 for any member of a rescue squad or volunteer nonprofit fire
2 department responding to an emergency call for medical
3 assistance.

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

5 Section 1. Section 6-5-335, Code of Alabama 1975, is
6 amended to read as follows:

7 "§6-5-335.

8 "When any member of any organized rescue squad or
9 volunteer nonprofit fire department, gratuitously and in good
10 faith, responds to a 911 or other emergency call to render
11 medical assistance or other emergency medical service or
12 enters any building, house, or structure which is burning or
13 endangered by fire and makes efforts to preserve and protect
14 ~~said the~~ property and any other property contained therein or
15 located on the premises thereof, ~~such the~~ members shall not be
16 liable for any civil damages for such entering or as result of
17 any acts or omissions in rendering ~~such the~~ efforts; nor shall
18 ~~such the~~ members be liable for any civil damages in rendering
19 such efforts for their acts or omissions causing injuries to
20 fellow volunteers or to owners of ~~said the~~ property; provided,
21 however, that this section shall not apply to civil damages
22 for wanton misconduct."

23 Section 2. This act shall become effective on the
24 first day of the third month following its passage and
25 approval by the Governor, or its otherwise becoming law.