

1 HB138  
2 197466-1  
3 By Representative Brown (K)  
4 RFD: Judiciary  
5 First Read: 19-MAR-19

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8 SYNOPSIS: Existing law does not provide civil immunity  
9 to a person providing transportation services to a  
10 health care provider.

11 This bill would provide civil immunity to  
12 persons who provide transportation to a health care  
13 facility or health care provider in certain  
14 circumstances.

15  
16 A BILL  
17 TO BE ENTITLED  
18 AN ACT

19  
20 Relating to good Samaritan laws; to provide civil  
21 immunity to persons who provide transportation to a health  
22 care facility or health care provider in certain  
23 circumstances.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. (a) A person who, in good faith, and not  
26 for compensation, provides an individual transportation to a  
27 health care facility or health care provider is not subject to

1 civil liability for negligence if the provider could not have  
2 reasonably anticipated the particular harm caused by the  
3 negligent act while acting in the line and scope of a  
4 volunteer in providing transportation, or the act or omission  
5 was the result of the provider's willful or wanton misconduct.  
6 The immunity provided in this subsection includes  
7 transportation from an individual's residence.

8 (b) Acceptance by the transportation provider of a  
9 gratuitous contribution or donation made by the individual  
10 receiving transportation services does not constitute a waiver  
11 of immunity under this section.

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