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8 SYNOPSIS: Under existing law, certain persons who
9 render assistance at the scene of an accident or
10 emergency situation are in certain circumstances
11 granted civil immunity for their actions.

12 This bill would provide civil immunity to
13 certain licensed engineers, architects, land
14 surveyors, contractors, and subcontractors who
15 without compensation participates in emergency
16 response activities under the direction or
17 supervision of an emergency management agency.

18
19 A BILL
20 TO BE ENTITLED
21 AN ACT
22

23 To amend Section 6-5-332, Code of Alabama 1975, the
24 Good Samaritan Law, to provide civil immunity to certain
25 licensed engineers, architects, land surveyors, contractors,
26 and subcontractors who, under the direction or supervision of

1 an emergency agency, render emergency response activities
2 without compensation.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 6-5-332, Code of Alabama 1975, is
5 amended to read as follows:

6 "§6-5-332.

7 "(a) When any doctor of medicine or dentistry,
8 nurse, member of any organized rescue squad, member of any
9 police or fire department, member of any organized volunteer
10 fire department, Alabama-licensed emergency medical
11 technician, intern or resident practicing in an Alabama
12 hospital with training programs approved by the American
13 Medical Association, Alabama state trooper, medical aidman
14 functioning as a part of the military assistance to safety and
15 traffic program, chiropractor, or public education employee
16 gratuitously and in good faith, renders first aid or emergency
17 care at the scene of an accident, casualty, or disaster to a
18 person injured therein, he or she shall not be liable for any
19 civil damages as a result of his or her acts or omissions in
20 rendering first aid or emergency care, nor shall he or she be
21 liable for any civil damages as a result of any act or failure
22 to act to provide or arrange for further medical treatment or
23 care for the injured person.

24 "(b) Any member of the crew of a helicopter which is
25 used in the performance of military assistance to safety and
26 traffic programs and is engaged in the performance of
27 emergency medical service acts shall be exempt from personal

1 defibrillator, shall be immune from civil liability for any
2 personal injury as a result of care or treatment or as a
3 result of any act or failure to act in providing or arranging
4 further medical treatment where the person acts as an ordinary
5 prudent person would have acted under the same or similar
6 circumstances, except damages that may result for the gross
7 negligence of the person rendering emergency care. This
8 immunity shall extend to the licensed physician or medical
9 authority who is involved in automated external defibrillator
10 site placement, the person who provides training in CPR and
11 the use of the automated external defibrillator, and the
12 person or entity responsible for the site where the automated
13 external defibrillator is located. This subsection
14 specifically excludes from the provision of immunity any
15 designers, manufacturers, or sellers of automated external
16 defibrillators for any claims that may be brought against such
17 entities based upon current Alabama law.

18 "(f) Any licensed engineer, licensed architect,
19 licensed surveyor, licensed contractor, licensed
20 subcontractor, or other individual working under the direct
21 supervision of the licensed individual who participates in
22 emergency response activities under the direction of, or in
23 connection with, a community emergency response team, county
24 emergency management agency, state emergency management
25 agency, or Federal Emergency Management Agency shall not be
26 liable for any civil damages as a result of any acts,
27 services, or omissions provided without compensation, other

1 than reimbursement for individual expenses, in such capacity
2 if the individual acts as a reasonably prudent person would
3 have acted under the same or similar circumstances. The
4 immunity provided in this subsection shall apply to any acts,
5 services, or omissions provided within 60 days of the event
6 leading to the emergency."

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