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H.264

Introduced by Representatives Strong of Albany, Batchelor of Derby,  
Branagan of Georgia, Canfield of Fair Haven, Dickinson of  
St. Albans Town, Gamache of Swanton, Graham of  
Williamstown, Higley of Lowell, LaLonde of South Burlington,  
Lawrence of Lyndon, Marcotte of Coventry, Morrissey of  
Bennington, Terenzini of Rutland Town, and Viens of  
Newport City

Referred to Committee on

Date:

Subject: Court procedure; immunity; homeless shelters

Statement of purpose of bill as introduced: This bill proposes to provide  
immunity from civil liability for homeless shelter officers, employees, and  
volunteers.

An act relating to immunity from liability for officers, employees, and  
volunteers at homeless shelters

It is hereby enacted by the General Assembly of the State of Vermont:

1 Sec. 1. 12 V.S.A. § 5784 is added to read:

2 § 5784. HOMELESS SHELTERS

3 (a) A person who serves without compensation as a director, officer,  
4 trustee, employee, or volunteer for a homeless shelter shall not be subject to  
5 civil liability resulting from:

6 (1) any act or omission within the scope of the person's official  
7 functions or duties which is done in good faith;

8 (2) any good faith act or omission of any of the homeless shelter's other  
9 directors, officers, trustees, employees, or volunteers.

10 (b) This section shall not apply to gross negligence, recklessness, or  
11 intentional misconduct on the part of the director, officer, trustee, employee, or  
12 volunteer.

13 (c) As used in this section:

14 (1) "Homeless person" means a person who lacks housing (without  
15 regard to whether the person is a member of a family), including a person  
16 whose primary residence during the night is a supervised public or private  
17 facility that provides temporary living accommodations and a person who is a  
18 resident in transitional housing.

19 (2) "Homeless shelter" means an entity that provides access to food and  
20 overnight shelter to a homeless person.

- 1      Sec. 2. EFFECTIVE DATE
- 2      This act shall take effect on passage.