

1 S.74

2 Introduced by Senator Sears

3 Referred to Committee on Judiciary

4 Date: February 1, 2013

5 Subject: Court procedure; immunity from liability; volunteer athletic officials

6 Statement of purpose of bill as introduced: This bill proposes to grant

7 immunity from liability for services or assistance a person provides in

8 connection with the person's duties as a volunteer athletic coach, manager, or

9 official.

10 An act relating to immunity from liability for volunteer athletic coaches,
11 managers, and officials

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

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

14 § 5784. VOLUNTEER ATHLETIC OFFICIALS

15 (a) A person providing services or assistance without compensation, except
16 for reimbursement of expenses, in connection with the person's duties as an
17 athletic coach, manager, or official for a sports team that is organized pursuant
18 to a nonprofit or similar charter, or which is a member team in a league
19 organized by or affiliated with a county or municipal recreation department,
20 shall not be held personally liable for damages to a player, participant, or

1 ~~spectator incurred as a result of the services or assistance provided. This~~
2 section shall apply to acts and omissions made during sports competitions,
3 practices, and instruction.

4 (b) This section shall not protect a person from liability for damages
5 resulting from reckless or intentional conduct, or the negligent operation of a
6 motor vehicle.

7 (c) This section shall not apply to acts or omissions made by a person who
8 has not participated in a safety training program involving injury prevention,
9 first aid procedures, and general coaching concepts.

10 Sec. 2. EFFECTIVE DATE

11 ~~This act shall take effect on July 1, 2013.~~

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

§ 5784. VOLUNTEER ATHLETIC OFFICIALS

(a) A person providing services or assistance without compensation, except for reimbursement of expenses, in connection with the person's duties as an athletic coach, manager, or official for a sports team that is organized as a nonprofit corporation, or which is a member team in a league organized by or affiliated with a county or municipal recreation department, shall not be held personally liable for damages to a player, participant, or spectator incurred as a result of the services or assistance provided. This section shall apply to acts and omissions made during sports competitions, practices, and instruction.

(b) This section shall not protect a person from liability for damages resulting from reckless or intentional conduct, or the negligent operation of a motor vehicle.

(c) Nothing in this section shall be construed to affect the liability of any nonprofit or governmental entity with respect to harm caused to any person.

(d) Any sports team organized as described in subsection (a) of this section shall be liable for the acts and omissions of its volunteer athletic coaches,

managers, and officials to the same extent as an employer is liable for the acts and omissions of its employees.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2013.