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S.143

Introduced by Senators White, Kitchel, and Westman

Referred to Committee on

Date:

Subject: Court procedure; immunity from liability; volunteers

Statement of purpose of bill as introduced: This bill proposes to establish immunity from civil liability for persons who volunteer for nonprofit organizations and municipalities.

An act relating to volunteer immunity

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

Sec. 1. 12 V.S.A. § 5785 is added to read:

§ 5785. VOLUNTEER SERVICES

(a) A person who provides volunteer services shall not be subject to civil liability for injury or death arising from his or her provision of the volunteer services if the services were provided:

(1) voluntarily without the expectation of directly or indirectly receiving monetary or other compensation; and

(2)(A) to a nonprofit organization organized under Title 11B of the Vermont Statutes Annotated or qualified as tax-exempt under Section 501(c)

1 of the Internal Revenue Code of 1986, as from time to time may be  
2 amended; or

3 (B) at the request of a municipality's legislative body, municipal  
4 officer, or employee acting within the scope of the employee's authority.

5 (b) This section shall not apply to gross negligence, recklessness, or  
6 intentional misconduct by the volunteer.

7 Sec. 2. EFFECTIVE DATE

8 This act shall take effect on passage.