VT LEG #351788 v.1

An act relating to immunity from liability for licensed professionals providing essential services during emergencies

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

Sec. 1. 20 V.S.A. § 20 is amended to read:

§ 20. IMMUNITIES AND DEFENSES

(a) Except in the case of willful misconduct or gross negligence, the state, any of its agencies, state employees as defined in 3 V.S.A. § 1101, political subdivisions, local emergency planning committees, or individual, partnership, association, or corporation involved in emergency management activities shall not be liable for the death of or any injury to persons or loss or damage to property resulting from an emergency management service or response activity, including the development of local emergency plans and the
response to those plans. Nothing in this section shall exclude the state State, its agencies, political subdivisions, or employees from the protections and rights provided in 12 V.S.A. chapter 189 of Title 12.

(b) Any individual, partnership, association, corporation, or facility that provides personnel, training, or equipment through an agreement with the local emergency planning committee, the State Emergency Response Commission, or local emergency response officials is immune from civil liability to the same extent provided in subsection (a) of this section for any act performed within the scope of the agreement.

(c)(1) A licensed professional who provides essential services related to the licensed profession through an agreement with the local emergency planning committee, the State Emergency Response Commission, or local emergency response officials is immune from civil liability to the same extent provided in subsection (a) of this section for any act performed within the scope of the agreement.

(2) As used in this subsection, “licensed professional” means a person who practices a profession or occupation that requires “licensure” as that term is defined in 26 V.S.A. § 3101a.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.