

Senate Bill 32

By: Senators Kirkpatrick of the 32nd, Kirk of the 13th, Butler of the 55th, Payne of the 54th, Orrock of the 36th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to
2 general provisions relative to torts, so as to provide for conditions upon immunity from civil
3 liability in instances of rendering emergency care; to limit liability for property damage
4 caused by the rescue or attempted rescue of animals locked in motor vehicles; to provide for
5 related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 style="text-align:center">**SECTION 1.**

8 Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to general
9 provisions relative to torts, is amended by revising Code Section 51-1-29, relating to liability
10 of persons rendering emergency care, to read as follows:

11 "51-1-29.

12 (a) Any person, including any person licensed to practice medicine and surgery pursuant
13 to Article 2 of Chapter 34 of Title 43 and any person licensed to render services ancillary
14 thereto, who in good faith renders emergency care at the scene of an accident or emergency
15 to the victims thereof without making any charge therefor shall not be liable for any civil
16 damages as a result of any act or omission by such person in rendering emergency care or
17 as a result of any act or failure to act to provide or arrange for further medical treatment or
18 care for the injured person except for gross negligence, willful or wanton misconduct, or
19 malfeasance. As used in this ~~Code section~~ subsection, the term 'emergency care' shall
20 include, but shall not be limited to, the rescue or attempted rescue of an incapacitated or
21 endangered individual from a locked motor vehicle.

22 (b) Any person who in good faith rescues or attempts to rescue an incapacitated or
23 endangered animal from a locked motor vehicle shall not be liable for any civil damages
24 as a result of property damage caused thereby or as a result of any act or failure to act to
25 provide or arrange for further medical treatment or care for the animal except for gross
26 negligence, willful or wanton misconduct, or malfeasance.

27 (c) The immunity from civil damages provided for by this Code section shall apply only
28 if such person accesses or assists in accessing the 9-1-1 system or otherwise contacts or
29 assists in contacting law enforcement and awaits the arrival of emergency services to aid
30 such person."

31

SECTION 2.

32 All laws and parts of laws in conflict with this Act are repealed.