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State of Minnesota

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HOUSE OF REPRESENTATIVES

**EIGHTY-SIXTH
SESSION**

HOUSE FILE No. 2709

February 4, 2010

Authored by Norton

The bill was read for the first time and referred to the Committee on Civil Justice

March 15, 2010

Committee Recommendation and Adoption of Report:

To Pass as Amended

Read Second Time

March 18, 2010

Calendar For The Day

Amended

Read Third Time as Amended

Passed by the House as Amended and transmitted to the Senate to include Floor Amendments

1.1 A bill for an act
1.2 relating to civil actions; specifying immunity for certain entities in the event of
1.3 an emergency or disaster; amending Minnesota Statutes 2008, sections 12.03, by
1.4 adding a subdivision; 12.22, by adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2008, section 12.03, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 4e. **Entity.** "Entity" includes a firm, corporation, association, limited liability
1.9 company, partnership, limited liability partnership, nonprofit organization, or other
1.10 business, religious, or charitable organization.

1.11 **EFFECTIVE DATE.** This section is effective the day following final enactment.

1.12 Sec. 2. Minnesota Statutes 2008, section 12.22, is amended by adding a subdivision to
1.13 read:

1.14 Subd. 2b. **Entity volunteer protections.** (a) An entity or an agent acting on behalf
1.15 of the entity who volunteers without compensation or the expectation of compensation to
1.16 assist a local jurisdiction during an emergency or disaster, who previously registers with
1.17 that jurisdiction, and who is under the direction and control of the local jurisdiction is
1.18 not liable for civil damages or administrative sanctions as a result of good-faith acts or
1.19 omissions by that entity or agent in rendering emergency care, advice, or assistance.

1.20 (b) An entity or an agent acting on behalf of the entity who volunteers without
1.21 compensation or the expectation of compensation to assist the state during an emergency
1.22 or disaster, who previously registers with a state agency, and who is under the direction
1.23 and control of the state agency is not liable for civil damages or administrative sanctions

2.1 as a result of good-faith acts or omissions by that entity or agent in rendering emergency
2.2 care, advice, or assistance.

2.3 (c) This subdivision does not apply if the entity or agent acts in a willful and wanton
2.4 or reckless manner in providing the care, advice, or assistance.

2.5 **EFFECTIVE DATE.** This section is effective the day following final enactment,
2.6 and applies to actions accruing on or after the date.