
SENATE BILL No. 133

DIGEST OF INTRODUCED BILL

Citations Affected: IC 14-9-9-11; IC 34-30.

Synopsis: Immunity for boat patrol officers. Provides that a person providing law enforcement services under a special boat patrol needs grant is immune from liability for providing emergency medical care.

Effective: July 1, 2005.

Meeks

January 4, 2005, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.

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First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

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SENATE BILL No. 133



A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 14-9-9-11 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2005]: **Sec. 11. A person who:**

4 (1) renders emergency care at the scene of an emergency or
5 accident while providing law enforcement services on a lake
6 under this chapter; and

7 (2) except for being compensated, meets the conditions for
8 immunity set forth in IC 34-30-12;

9 is immune from liability under IC 34-30-12 notwithstanding the
10 payment of compensation to the person for providing law
11 enforcement services on the lake.

12 SECTION 2. IC 34-30-2-53.5 IS ADDED TO THE INDIANA
13 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2005]: **Sec. 53.5. IC 14-9-9-11 (Concerning
15 a person who provides law enforcement services on a lake and
16 provides emergency care).**

17 SECTION 3. IC 34-30-12-1 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) This section does
2 not apply to services rendered by a health care provider (as defined in
3 IC 34-18-2-14 or IC 27-12-2-14 before its repeal) to a patient in a
4 health care facility (as defined in IC 27-8-10-1). **This section is subject
5 to IC 14-9-9-11.**

6 (b) Except as provided in subsection (c), a person who comes upon
7 the scene of an emergency or accident or is summoned to the scene of
8 an emergency or accident and, in good faith, gratuitously renders
9 emergency care at the scene of the emergency or accident is immune
10 from civil liability for any personal injury that results from:

11 (1) any act or omission by the person in rendering the emergency
12 care; or

13 (2) any act or failure to act to provide or arrange for further
14 medical treatment or care for the injured person;

15 except for acts or omissions amounting to gross negligence or willful
16 or wanton misconduct.

17 (c) This subsection applies to a person to whom IC 16-31-6.5
18 applies. A person who gratuitously renders emergency care involving
19 the use of an automatic external defibrillator is immune from liability
20 for any act or omission not amounting to gross negligence or willful or
21 wanton misconduct if the person fulfills the requirements set forth in
22 IC 16-31-6.5.

23 (d) This subsection applies to an individual, business, or
24 organization to which IC 16-31-6.5 applies. An individual, business, or
25 organization that allows a person who is an expected user to use an
26 automatic external defibrillator of the individual, business, or
27 organization to in good faith gratuitously render emergency care is
28 immune from civil liability for any damages resulting from an act or
29 omission not amounting to gross negligence or willful or wanton
30 misconduct by the user or for acquiring or providing the automatic
31 external defibrillator to the user for the purpose of rendering the
32 emergency care if the individual, business, or organization and the user
33 fulfill the requirements set forth in IC 16-31-6.5.

34 (e) The licensed physician who gives medical direction in the use of
35 a defibrillator under IC 16-31-6.5-4 or a national or state approved
36 defibrillator instructor of a person who gratuitously renders emergency
37 care involving the use of an automatic external defibrillator is immune
38 from civil liability for any act or omission of the licensed physician or
39 instructor if:

40 (1) the act or omission of the licensed physician or instructor:

41 (A) involves the training for or use of an automatic external
42 defibrillator; and

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1 (B) does not amount to gross negligence or willful or wanton
2 misconduct; and
3 (2) the licensed physician or instructor fulfills the requirements of
4 IC 16-31-6.5.

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