# HOUSE BILL No. 1013

DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 34-30-2-156.5; IC 36-8-23.

**Synopsis:** Immunity for fast responders. Provides that if: (1) a county adopts an ordinance approving the provision of community fast responder services; and (2) the nonprofit corporation directing the provision of community fast responder services maintains a certain level of insurance; the liability of a community fast responder is limited to the amount of insurance. Provides that the limit of liability of a community responder nonprofit corporation is $300,000. Makes conforming amendments.

**Effective:** July 1, 2011.

**Grubb, Brown T**

January 5, 2011, read first time and referred to Committee on Veterans Affairs and Public Safety.

C o p y

Introduced

First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

C o p y

# HOUSE BILL No. 1013

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

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

SECTION 1. IC 34-30-2-156.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 156.5. IC 36-8-23 (Concerning community fast responders).**

SECTION 2. IC 36-8-23 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]:

**Chapter 23. Fast Responder**

**Sec. 1. As used in this chapter, "community fast responder" means a volunteer who may be summoned to perform cardiopulmonary resuscitation, defibrillation, or other emergency services under the direction of a nonprofit corporation.**

**Sec. 2. As used in this chapter, "community fast responder nonprofit corporation" means a nonprofit corporation that organizes or directs community fast responders.**

**Sec. 3. IC 34-30-12-1 (the good Samaritan statute) applies to a community fast responder.**

**Sec. 4. (a) This section applies if:**

**(1) a county adopts an ordinance approving the provision of community fast responder services by a community fast responder nonprofit corporation; and**

**(2) the community fast responder nonprofit corporation purchases an insurance policy described in subsection (b).**

**(b) A community fast responder nonprofit corporation shall purchase an insurance policy that provides at least three hundred thousand dollars ($300,000) of insurance coverage for the liability of all of the community fast responders for bodily injury or property damage caused by the community fast responders acting within the scope of their duties.**

**(c) The civil liability of a community fast responder for:**

**(1) an act that is within the scope of a community fast responder's duties; or**

**(2) the failure to do an act that is within the scope of a community fast responder's duties;**

**while performing emergency services or while traveling to the scene of an emergency or from the scene of an emergency is limited to the coverage provided by the insurance policy purchased under this section, unless the act or failure to act constitutes gross negligence or willful or wanton misconduct. A community fast responder is not liable for punitive damages for any act that is within the scope of the community fast responder's duties.**

**(d) The civil liability of a community fast responder nonprofit corporation is limited to three hundred thousand dollars ($300,000) for an act or omission that does not constitute gross negligence or willful or wanton misconduct. A community fast responder nonprofit corporation is not liable for punitive damages.**

**Sec. 5. A county that adopts an ordinance under section 4(a)(1) of this chapter is immune from civil liability in accordance with IC 34-13-3-3.**

C o p y