



**FINAL**  
**FISCAL NOTE**

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**Drafting Number:** LLS 09-0122**Date:** June 18, 2009**Prime Sponsor(s):** Sen. Gibbs; Schwartz  
Rep. Levy; King S.**Bill Status:** Signed into Law**Fiscal Analyst:** Bill Zepernick (303-866-4777)

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**TITLE:** CONCERNING THE EXTENSION OF CIVIL IMMUNITY TO PERSONS ENGAGED  
IN EMERGENCY RESPONSE ACTIVITIES.**Summary of Legislation**

The bill, recommended by the Interim Committee on Wildfire Issues in Wild Land-Urban Interface Areas, exempts fire departments or other entities that donate surplus firefighting equipment from civil and criminal liability resulting from the use of such equipment. The bill also exempts volunteer firefighters and their volunteer organizations from civil liability resulting from any action taken or not taken during firefighting efforts or other emergency services, except in cases of gross negligence or willful or wanton acts or omissions.

The bill also provides that state, county, or municipal agency, and other local entities that are engaged in emergency or disaster planning, training, or response activities shall not be liable for the death of or injury to any person or loss of or damage to property, except in cases of gross negligence or willful or wanton acts or omissions. A person may sue and recover civil damages based upon the negligent operation of a motor vehicle, but damages shall be limited to the amount of insurance coverage maintained by the person or entity.

The bill was signed by the Governor and became law on June 3, 2009.

**Assessment**

The bill is not expected to have a state or local fiscal impact. The bill would reduce future liability for entities engaged in emergency response. This could result in lower liability insurance costs. However, any decreases in costs are assumed to be negligible.

**Departments Contacted**

Higher Education (State Forest Service)  
Local Affairs  
Public Safety

Judicial  
Natural Resources