

**Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 14-0731.01 Jerry Barry x4341

SENATE BILL 14-138

SENATE SPONSORSHIP

Kefalas and Lundberg, Jones, Nicholson

HOUSE SPONSORSHIP

Sonnenberg and Foote, Humphrey, Singer, Young, Saine

Senate Committees
State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING CIVIL IMMUNITY FOR COMMUNITY VOLUNTEERS**
102 **ASSISTING AT AN EMERGENCY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills summaries>.)

Current law provides limited immunity for volunteer firefighters who provide services at the scene of an emergency. The bill extends the immunity to community volunteers and their organizations.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 13-21-113.7, **amend**
3 **(1); and add (2) (e) and (4) as follows:**

4 **13-21-113.7. Immunity of volunteer firefighters, volunteers,**
5 **incident management teams, and their employers or organizations -**
6 **definitions - legislative declaration.** (1) A volunteer firefighter OR
7 VOLUNTEER who, in good faith, takes part in firefighting efforts or
8 provides emergency care, rescue, assistance, or recovery services at the
9 scene of an emergency, any incident management team, and any person
10 who, in good faith, commands, directs, employs, sponsors, or represents
11 any such volunteer firefighter, VOLUNTEER, or incident management team
12 shall not be liable for civil damages as a result of an act or omission by
13 such volunteer firefighter, VOLUNTEER, incident management team, or
14 other person in connection with the emergency; except that this
15 exemption shall not apply to grossly negligent, willful, wanton, or
16 reckless acts or omissions.

17 (2) As used in this section:

18 (e) "VOLUNTEER" HAS THE MEANING AS SET FORTH IN SECTION
19 13-21-115.5.

20 (4) NOTHING IN THIS SECTION ALTERS THE PROTECTIONS SET
21 FORTH IN SECTIONS 12-64-118, 13-21-108, 13-21-115.5, OR 24-33.5-1505,
22 C.R.S.

23 **SECTION 2. Safety clause.** The general assembly hereby finds,
24 determines, and declares that this act is necessary for the immediate
25 preservation of the public peace, health, and safety.