12-20-402. [Formerly 12-36-118 (3)(b)] Immunity. (1) The director, any member of the board or commission, any member of the board’s regulatory staff, any person acting as a witness or consultant to the board, and any witness testifying in a proceeding authorized under this part 1, and any person who lodges a complaint pursuant to this part 1, shall be by the part or article of this title 12 governing a particular profession or occupation immune from liability in any civil action brought against him or her for acts occurring while acting in his or her capacity as director, board or commission member, staff, consultant, or witness, respectively, if such the individual:

(a) Was acting in good faith within the scope of his or her respective capacity;
(b) Made a reasonable effort to obtain the facts of the matter as to which he or she acted; and
(c) Acted in the reasonable belief that the action taken by him or her was warranted by the facts.

(2) Any person participating in good faith in the making of or lodging a complaint or report or participating in any investigative or administrative proceeding pursuant to this section shall be immune from any civil or criminal liability that otherwise might result by reason of such participation; except that a person participating as described in this subsection (2) under article 135 of this title 12 is immune from only civil liability.

(4) This section does not apply to articles 125, 140, 150, and 250 of this title concerning fantasy contests, nontransplant tissue banks, passenger tramways, and naturopathic doctors, respectively.