

CHAPTER 35

COURTS

HOUSE BILL 04-1038

BY REPRESENTATIVE(S) Berry, Borodkin, Boyd, Cadman, Carroll, Cloer, Coleman, Decker, Frangas, Hefley, Hodge, Jahn, Lee, Madden, McCluskey, McFadyen, McGihon, Merrifield, Miller, Paccione, Plant, Pommer, Ragsdale, Salazar, Spence, Stafford, Weddig, White, Wiens, and Williams S.;
also SENATOR(S) Arnold, Anderson, Chlouber, Nichol, Taylor, and Teck.

AN ACT

CONCERNING AN EXEMPTION FROM CIVIL LIABILITY FOR A VOLUNTEER AT A CRISIS TELEPHONE HOTLINE.

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

SECTION 1. 13-21-108, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

13-21-108. Persons rendering emergency assistance exempt from civil liability. (4) (a) NOTWITHSTANDING THE FACT THAT THE PERSON MAY BE REIMBURSED FOR THE PERSON'S COSTS OR THAT THE NONPROFIT ORGANIZATION MAY RECEIVE A GRANT OR OTHER FUNDING, ANY PERSON WHO, WHILE ACTING AS A VOLUNTEER FOR ANY NONPROFIT ORGANIZATION OPERATING A TELEPHONE HOTLINE, ANSWERS QUESTIONS OF OR PROVIDES COUNSELING TO MEMBERS OF THE PUBLIC IN CRISIS SITUATIONS SHALL NOT BE LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS MADE IN GOOD FAITH AS A RESULT OF DISCUSSIONS OR COUNSELING PROVIDED ON THE HOTLINE.

(b) AS USED IN THIS SUBSECTION (4), UNLESS THE CONTEXT OTHERWISE REQUIRES, "HOTLINE" MEANS A TELEPHONE LINE STAFFED BY INDIVIDUALS WHO PROVIDE IMMEDIATE ASSISTANCE TO CALLERS IN EMERGENCY OR CRISIS SITUATIONS.

SECTION 2. Effective date - applicability. (1) This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution (August 4, 2004, if adjournment sine die is on May 5, 2004); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

(2) The provisions of this act shall apply to causes of action arising on or after the applicable effective date of this act.

Approved: March 17, 2004