

CHAPTER 51

COURTS

HOUSE BILL 05-1184

BY REPRESENTATIVE(S) Stafford, Berens, Brophy, Frangas, Green, Hoppe, Lundberg, Merrifield, Paccione, Penry, Plant, Pommer, Todd, and Welker;
also SENATOR(S) Isgar, Bacon, Entz, Evans, Grossman, Hanna, Kester, Spence, Taylor, Teck, Wiens, and Williams.

AN ACT

CONCERNING AN EXTENSION OF THE EXEMPTION FROM CIVIL LIABILITY TO THE EMPLOYER OF AN EMPLOYEE WHO RENDERS GOOD FAITH EMERGENCY CARE OR EMERGENCY ASSISTANCE.

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. (5) AN EMPLOYER SHALL NOT BE LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS MADE BY AN EMPLOYEE WHILE RENDERING EMERGENCY CARE OR EMERGENCY ASSISTANCE IF THE EMPLOYEE:

(a) RENDERS THE EMERGENCY CARE OR EMERGENCY ASSISTANCE IN THE COURSE OF HIS OR HER EMPLOYMENT FOR THE EMPLOYER; AND

(b) IS PERSONALLY EXEMPT FROM LIABILITY FOR CIVIL DAMAGES FOR THE ACTS OR OMISSIONS UNDER SUBSECTION (1) OF THIS SECTION.

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 10, 2005, if adjournment sine die is on May 11, 2005); 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 effective date of this act.

Approved: April 7, 2005