

Second Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

DRAFT  
1.7.14

DRAFT

LLS NO. 14-0731.01 Jerry Barry x4341

SENATE BILL

SENATE SPONSORSHIP

Kefalas,

HOUSE SPONSORSHIP

(None),

**SHORT TITLE:** "Civil Immunity For Volunteers At Emergencies"

**DEADLINES:** Finalize by: 22 JAN 2014 File by: 24 JAN 2014

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.

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 (2) (c) as follows:

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

17 (2) As used in this section:

18 (c) "Incident management team" means an ad hoc or standing  
19 team of ~~trained~~ personnel from different departments, organizations,  
20 agencies, ~~and~~ jurisdictions, OR VOLUNTEERS FROM THE COMMUNITY  
21 activated to manage the logistical, fiscal, planning, operational, safety,  
22 and community issues related to an emergency or other incident.

23 **SECTION 2. Act subject to petition - effective date.** This act  
24 takes effect at 12:01 a.m. on the day following the expiration of the  
25 ninety-day period after final adjournment of the general assembly (August  
26 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a  
27 referendum petition is filed pursuant to section 1 (3) of article V of the

1 state constitution against this act or an item, section, or part of this act  
2 within such period, then the act, item, section, or part will not take effect  
3 unless approved by the people at the general election to be held in  
4 November 2014 and, in such case, will take effect on the date of the  
5 official declaration of the vote thereon by the governor.

6 <{Would the committee like a safety clause or the above petition  
7 language?}>