

Introduced by Senator Benoit

(Principal coauthor: Assembly Member Nestande)

(Coauthors: Senators Ashburn, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Wyland)

January 6, 2009

An act to amend Section 1799.102 of the Health and Safety Code, relating to personal liability.

LEGISLATIVE COUNSEL'S DIGEST

SB 39, as introduced, Benoit. Torts: personal liability immunity.

Existing law requires that any person, who in good faith and not for compensation, renders emergency medical care at the scene of an emergency shall not be liable for any civil damages resulting from any act or omission.

This bill would enact the Good Samaritan Protection Act which would provide that any person, who in good faith and not for compensation, renders emergency medical or nonmedical care at the scene of an emergency shall not be liable for any civil damages resulting from any act or omission.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. This act shall be known and may be cited as the
- 2 Good Samaritan Protection Act.
- 3 SEC. 2. Section 1799.102 of the Health and Safety Code is
- 4 amended to read:

1 1799.102. No person who in good faith, and not for
2 compensation, renders emergency *medical or nonmedical* care at
3 the scene of an emergency shall be liable for any civil damages
4 resulting from any act or omission. The scene of an emergency
5 shall not include emergency departments and other places where
6 medical care is usually offered.

O