

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

# A Bill

HOUSE BILL 1412

4  
5 By: Representative Wooldridge  
6 By: Senator Todd

## For An Act To Be Entitled

9 "AN ACT TO GRANT IMMUNITY FROM CIVIL DAMAGES TO RED CROSS  
10 VOLUNTEERS RENDERING FREE AND VOLUNTARY EMERGENCY  
11 SERVICES; AND FOR OTHER PURPOSES."

## Subtitle

14 "AN ACT TO GRANT IMMUNITY FROM CIVIL  
15 DAMAGES TO RED CROSS VOLUNTEERS  
16 RENDERING FREE AND VOLUNTARY EMERGENCY  
17 SERVICES."

18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20  
21 SECTION 1. As used in this act, unless the context otherwise requires:  
22 (1) "Emergency service" means the immediate and temporary care rendered  
23 to a victim of injury or sudden illness consistent with the policies and  
24 procedures taught in the current and most advanced American Red Cross First  
25 Aid Training Course or an acceptable equivalent course.

26 (2) "Volunteer" means a person who has successfully completed first aid  
27 training by the American Red Cross or another recognized emergency medical  
28 training program and whose certification is current.

29  
30 SECTION 2. (a) No person who in good faith gratuitously renders any  
31 emergency service as a volunteer on behalf of the American Red Cross shall be  
32 liable for any civil damages as a result of any act or omission in rendering  
33 the care or service or as result of any act or failure to provide or arrange  
34 for further service.

35 (b) The limitation on liability in subsection (a) of this section, shall  
36 not apply when:

1           (1) the emergency service provided is inconsistent with or is a  
2 breach of policies or procedures taught in the current and most advanced  
3 national American Red Cross First Aid Training Course or an acceptable  
4 equivalent course;

5           (2) the emergency service provided was not supervised by a  
6 qualified employee or volunteer agent of the American Red Cross as required by  
7 the policy and procedures of the American Red Cross;

8           (3) the damages were caused by the intentional act or omission or  
9 the wilful or wanton misconduct of the volunteer.

10

11           SECTION 3. The provisions of this act shall be supplemental and in  
12 addition to, and shall not affect the "Arkansas Volunteer Immunity Act",  
13 Arkansas Code §§ 16-6-101, et seq.

14

15           SECTION 4. All provisions of this act of a general and permanent nature  
16 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
17 Revision Commission shall incorporate the same in the Code.

18

19           SECTION 5. If any provision of this act or the application thereof to  
20 any person or circumstance is held invalid, such invalidity shall not affect  
21 other provisions or applications of the act which can be given effect without  
22 the invalid provision or application, and to this end the provisions of this  
23 act are declared to be severable.

24

25           SECTION 6. All laws and parts of laws in conflict with this act are  
26 hereby repealed.

27

28

29

30

31

32

33

34

35