

A bill for an act

relating to civil actions; specifying immunity for certain entities in the event of an emergency or disaster; amending Minnesota Statutes 2008, sections 12.03, by adding a subdivision; 12.22, subdivision 2a, by adding a subdivision.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 12.03, is amended by adding a subdivision to read:

Subd. 4e. **Entity.** "Entity" includes a firm, corporation, association, limited liability company, partnership, limited liability partnership, nonprofit organization, or other business, religious, or charitable organization.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 2. Minnesota Statutes 2008, section 12.22, subdivision 2a, is amended to read:

Subd. 2a. **Volunteer protections.** (a) ~~Individuals~~ Persons who volunteer to assist a local political subdivision in preparation for or during an emergency or disaster, who register with that subdivision, and who are under the direction and control of that subdivision are considered an employee or agent of that subdivision for purposes of workers' compensation and tort claim defense and indemnification.

(b) ~~Individuals~~ Persons who volunteer to assist the state in preparation for or during an emergency or disaster, who register with a state agency, and who are under the direction and control of the state agency are considered an employee or agent of the state for purposes of workers' compensation and tort claim defense and indemnification.

(c) Notwithstanding qualification for volunteer protection under paragraph (a) or (b), a Minnesota Responds Medical Reserve Corps volunteer under sections 145A.04 to

145A.06, responding at the request of the commissioner of health, must receive state workers' compensation benefits and tort claim defense and indemnification as provided in section 145A.06, subdivision 7.

EFFECTIVE DATE. This section is effective the day following final enactment, and applies to actions accruing on or after that date.

Sec. 3. Minnesota Statutes 2008, section 12.22, is amended by adding a subdivision to read:

Subd. 2b. Entity volunteer protections. (a) An entity or an agent acting on behalf of the entity who volunteers to assist a local jurisdiction during an emergency or disaster, who previously registers with that jurisdiction, and who is under the direction and control of the local jurisdiction is not liable for civil damages or administrative sanctions as a result of good-faith acts or omissions by that entity or agent in rendering emergency care, advice, or assistance.

(b) An entity or an agent acting on behalf of the entity who volunteers to assist the state during an emergency or disaster, who previously registers with a state agency, and who is under the direction and control of the state agency is not liable for civil damages or administrative sanctions as a result of good-faith acts or omissions by that entity or agent in rendering emergency care, advice, or assistance.

(c) This subdivision does not apply if the entity or agent acts in a willful and wanton or reckless manner in providing the care, advice, or assistance.

EFFECTIVE DATE. This section is effective the day following final enactment, and applies to actions accruing on or after the date.