

S.B. 246
VOLUNTEER WORKERS AMENDMENTS

Senator **Scott K. Jenkins** proposes the following amendments:

1. *Page 1, Line 13:*

13 {~~→addresses liability of certain volunteers;~~}

2. *Page 2, Lines 44 through 49:*

44 [~~Any~~] (1) A person performing services on a voluntary basis, without compensation,
45 under the general supervision of, and on behalf of any public entity, [~~shall be~~] **is** immune from
46 liability with respect to any decisions or actions, other than in connection with the operation of
47 a motor vehicle, taken during the course of those services, unless it is established that {+} **such**
48 **decisions or actions were grossly negligent, not made in good faith, or were made maliciously** {+}
49 {~~the volunteer willfully and knowingly caused harm to a person or property~~} .

3. *Page 4, Line 119 through Page 5, Line 127:*

119 (4) A volunteer facilitator is immune from liability for damages or injuries arising out
120 of or related to the volunteer service of a volunteer provided by the volunteer facilitator to an
121 agency, unless:
122 (a) an action or omission of the volunteer facilitator {~~willfully and knowingly caused~~} **is grossly**
123 **negligent, not made in good faith, or made maliciously, and causes**
124 harm to a person or property; or
125 (b) the volunteer facilitator fails to exercise due diligence in determining the fitness of
126 a volunteer to provide voluntary service to the agency under circumstances that make the
127 volunteer facilitator's failure to exercise due diligence {~~a willful and knowing violation of the~~
volunteer facilitator's duty} **grossly negligent, not in good faith, or malicious** .