

Chapter 8 Immunity for Persons Performing Voluntary Services Act

Part 1 General Provisions

63G-8-101 Title.

This chapter is known as the "Immunity for Persons Performing Voluntary Services Act."

Enacted by Chapter 382, 2008 General Session

63G-8-102 Definitions.

As used in this act:

- (1) "Compensation" means payment for services in any form whatsoever, whether per diem or otherwise, except where the payment is solely for the purpose of paying subsistence, travel, or other expenses incurred by the person performing those services.
- (2) "Public entity" means the state or any political subdivision of it, or any office, department, division, board, agency, commission, council, authority, institution, hospital, school, college, university, or other instrumentality of the state or any political subdivision.
- (3) "Volunteer facilitator" is as defined in Section 67-20-2.

Amended by Chapter 249, 2013 General Session

Part 2 Immunity for Voluntary Services

63G-8-201 Voluntary services -- Immunity from liability -- Exceptions.

- (1) A person performing services on a voluntary basis, without compensation, under the general supervision of, and on behalf of any public entity, is immune from liability with respect to any decisions or actions, other than in connection with the operation of a motor vehicle, taken during the course of those services, unless it is established that such decisions or actions were grossly negligent, not made in good faith, or were made maliciously.
- (2) A volunteer facilitator is immune from liability to the extent provided in Subsection 67-20-3(4).
- (3) A person or entity owning a building or other facility and an operator of or an employee in a building or facility is immune from liability with respect to any decisions or actions related to emergency or public health conditions, as described in Subsection 63G-7-201(2)(c), while acting under the general supervision of or on behalf of any public entity.

Amended by Chapter 181, 2016 General Session

63G-8-202 Action under Governmental Immunity Act of Utah permitted.

Nothing in this chapter shall preclude legal action against a public entity for any injury occurring as a result of the decisions or actions taken by a person performing services on a voluntary basis for that entity, where such action would otherwise be permitted under Title 63G, Chapter 7, Governmental Immunity Act of Utah.

Renumbered and Amended by Chapter 382, 2008 General Session

Part 3
Application

63G-8-301 Applicability of act.

This act shall apply to any actions or decisions taken subsequent to the effective date of this act.

Renumbered and Amended by Chapter 382, 2008 General Session