



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL
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March 7, 2013

Mr. President:

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 246**, VOLUNTEER WORKERS AMENDMENTS, by Senator S. Jenkins, with 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
46 from
47 liability with respect to any decisions or actions, other than in connection with the
48 operation of
49 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:*

Bill Number



SB0246

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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
121 an
122 agency, unless:
123 (a) an action or omission of the volunteer facilitator { ~~willfully and knowingly~~
124 ~~caused~~} is grossly negligent, not made in good faith, or made maliciously, and
125 causes
126 harm to a person or property; or
127 (b) the volunteer facilitator fails to exercise due diligence in determining the fitness
128 of
129 a volunteer to provide voluntary service to the agency under circumstances that make the
130 volunteer facilitator's failure to exercise due diligence { ~~a willful and knowing~~
131 ~~violation of the~~
132 ~~volunteer facilitator's duty~~} grossly negligent, not in good faith, or malicious .

Respectfully,

Margaret Dayton
Committee Chair

Voting: 2-1-4

3 SB0246.SC1.WPD morth/RCN PO/BRH 3/7/13 4:13 pm

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