

HOUSE SUMMARY OF SENATE AMENDMENTS**HB 16****2025 Regular Session****Schlegel**

LIABILITY/CIVIL: Provides relative to the limitation of civil liability for nonprofits that donate medical supplies

Synopsis of Senate Amendments

1. Requires donated medical equipment and supplies to be in proper working condition at time of donation and not subject to product recall prior to the time of donation for limitation of liability to apply.
2. Includes employees and authorized agents of the nonprofit organization to be subject to liability if the damage was caused by gross negligence or willful or wanton misconduct.

Digest of Bill as Finally Passed by Senate

Proposed law provides that any nonprofit organization that gratuitously donates medical equipment or supplies which are in proper working condition at the time of the donation and have not been the subject of any product recall prior to or at the time of the donation shall not be liable to any person for any injury, death, loss, civil penalty, or damages as a result of the subsequent use of any donated medical equipment or supplies.

Proposed law provides that a nonprofit organization may be liable to a person for injury, death, loss, civil penalty, or damages as a result of donated medical equipment or supplies if the damages or injury were caused by gross negligence or willful or wanton misconduct of the nonprofit organization or its employees and authorized agents.

Proposed law requires donated medical equipment and supplies to be in proper working condition at time of donation and not subject to product recall prior to time of donation for limitation of liability to apply.

Proposed law includes employees and authorized agents of the nonprofit organization to be subject to liability if the damage was caused by gross negligence or willful or wanton misconduct.

(Adds R.S. 9:2793.13)