

Regular Session, 2013

HOUSE BILL NO. 469

BY REPRESENTATIVE ADAMS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

FIRE PROTECT/FIREMEN: Provides with respect to immunity from liability for volunteer firemen

1 AN ACT

2 To amend and reenact R.S. 37:1735, relative to volunteer firemen; to state the public policy  
3 of Louisiana relative to volunteer firefighting; to provide with respect to immunity  
4 from liability for volunteer firemen; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 37:1735 is hereby amended and reenacted to read as follows:

7 §1735. Immunity from liability for volunteer firemen

8 A. It is hereby declared to be the public policy of Louisiana that volunteer  
9 firefighting is vital to public safety. A decline in the number of volunteer firefighters  
10 represents a threat to the public. It is therefore in the best interest of the public for  
11 Louisiana to encourage its citizens to participate in volunteer firefighting by  
12 providing such volunteers immunity from civil liability.

13 ~~A. B.~~ Any volunteer fireman who renders emergency or rescue services, or  
14 who conducts normal functions of the fire department or organization, while in the  
15 performance of his duties at the scene of an emergency shall not be individually  
16 liable for civil damages as a result of acts or omissions in rendering the emergency  
17 or rescue services, or in conducting normal functions of the fire department or  
18 organization. The immunity provided herein shall apply to all acts or omissions  
19 except those intentionally designed to harm or those grossly negligent acts or  
20 omissions that result in harm to person or property.

1            ~~B: C.~~ As used in this Section "volunteer fireman" means any person who is  
2            a member of an organized volunteer fire department and who acts according to his  
3            duties as a ~~fire fighter~~ firefighter, as assigned by the fire department or organization  
4            or its employees or agents.

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## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Adams

HB No. 469

**Abstract:** Provides with respect to immunity from liability for volunteer firemen.

Proposed law states that it is Louisiana public policy to encourage citizens to volunteer as firefighters.

Present law provides that a volunteer fireman who renders emergency or rescue services shall not be individually liable for civil damages that occur as a result of acts or omissions that occur during the fireman's rendering of emergency or rescue services while in the performance of his duties.

Proposed law retains present law.

Proposed law further clarifies that a volunteer fireman shall not be individually liable for civil damages as a result of undertaking any normal functions that are assigned by the fire department or organization with which he is volunteering.

(Amends R.S. 37:1735)