

**H. B. 3105**

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(By Delegates Lawrence, Smith, Ellem, Ferro, Pino, M. Poling and  
D. Campbell)

[Introduced February 11, 2011; referred to the  
Committee on the Judiciary.]

10 A BILL to amend the Code of West Virginia, 1931, as amended, by  
11 adding thereto a new section, designated §55-7-26, relating to  
12 immunity from civil and criminal liability for first  
13 responders who use forced entry to a residence in response to  
14 documented 911 call.

15 *Be it enacted by the Legislature of West Virginia:*

16 That the Code of West Virginia, 1931, as amended, be amended  
17 by adding thereto a new section, designated §55-7-26, to read as  
18 follows:

19 **ARTICLE 7. ACTIONS FOR INJURIES.**

20 **§55-7-26. First responders who use forced entry to a residence in**  
21 **response to 911 call; immunity from civil and**  
22 **criminal liability.**

23 Any person, who is a first responder, including ambulance, law  
24 enforcement personnel, emergency or other medical personnel and  
25 firefighters, responding to a documented 911 call, who forcibly  
26 enters a residence, may not be liable for any civil damages or

1 criminal liability as the result of the forced entry or any act or  
2 omission in rendering emergency care.

NOTE: The purpose of this bill is to provide immunity from civil or criminal liability for first responders who use forced entry to a residence when rendering emergency care pursuant to a documented 911 call.

This section is new; therefore, it has been completely underscored.