1 Senate Bill No. 24 2 (By Senators Green, Jenkins, Miller and McCabe) 3 [Introduced January 8, 2014; referred to the Committee on the 4 5 Judiciary.] 6 7 8 9 10 A BILL to amend and reenact §55-7-16 of the Code of West Virginia, 11 1931, as amended, relating to immunity from liability for ski 12 patrol rendering emergency care or assistance, without 13 compensation, at any location. 14 Be it enacted by the Legislature of West Virginia: 15 That §55-7-16 of the Code of West Virginia, 1931, as amended, 16 be amended and reenacted to read as follows: 17 ARTICLE 7. ACTIONS FOR INJURIES. Immunity from liability for ski patrol rendering 18 **§55-7-16**. 19 emergency care. 20 (a) A member in good standing of a national ski patrol system 21 who, without compensation, provides emergency aid or assistance to 22 an injured or ill person at the scene of a ski resort rescue 23 operation, outdoor emergency rescue operation or while otherwise

- 1 performing ski patrol or while transporting an injured or ill
- 2 person to a place for transfer to an available emergency medical
- 3 center or hospital as the result of being on ski patrol, or while
- 4 providing emergency aid or assistance without compensation at any
- 5 location, may not be held liable for civil damages for any alleged
- 6 act or omission which is claimed to have occurred during the
- 7 rendering of the emergency aid or assistance. The limitation of
- 8 liability established by the provisions of this section apply to
- 9 acts or omissions rendered in good faith.
- 10 (b) For the purposes of this section, a national ski patrol
- 11 system is a national organization whose members are volunteers and
- 12 do not receive compensation and are required to obtain training in
- 13 safety and emergency medical treatment.
- (c) For purposes of this section, the term "compensation" does
- 15 not include access to a recreational facility, complimentary lift
- 16 tickets, food, lodging or other gifts or discounts that may be
- 17 offered or accessible to a person.

NOTE: The purpose of this bill is to provide immunity from liability for ski patrol rendering emergency care or assistance, without compensation, at any location.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.