



General Assembly

Substitute Bill No. 939

January Session, 2021



:

AN ACT CONCERNING THE CIVIL LIABILITY OF A PHYSICIAN WHO ASSISTS A SWAT TEAM AND AN ARCHITECT WHO EVALUATES SAFETY ELEMENTS IN THE AFTERMATH OF A MAJOR DISASTER OR EMERGENCY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2021*) Any person licensed to
2 practice medicine and surgery under the provisions of chapter 370 of
3 the general statutes, who, voluntarily and gratuitously and other than
4 in the course of such person's employment or practice, renders
5 emergency medical assistance in connection with the law enforcement
6 duties of a state, regional or municipal special weapons and tactics team,
7 shall not be liable to any person assisted for civil damages for any
8 personal injuries that result from acts or omissions by such licensed
9 person in rendering emergency medical assistance, which may
10 constitute ordinary negligence. The immunity provided in this section
11 shall not apply to acts or omissions constituting gross, wilful or wanton
12 negligence.

13 Sec. 2. (NEW) (*Effective October 1, 2021*) (a) Any architect licensed
14 pursuant to chapter 390 of the general statutes who, at the request of,
15 under the direction of, or in connection with a public safety official,

16 voluntarily and without compensation, acts in good faith to assist such
17 official evaluating the safety of elements of a built environment in the
18 aftermath of a major disaster or emergency, as those terms are defined
19 in section 28-1 of the general statutes, shall:

20 (1) Be held to the same standard of care applicable to a public safety
21 official who would have performed an evaluation of the safety elements
22 of a built environment, if not for the major disaster or emergency, and

23 (2) Be subject to civil liability only upon a finding that the architect
24 failed to act as a reasonably prudent public safety official, as applicable
25 to the circumstances, would have acted under the same or similar
26 circumstances.

27 (b) The provisions of subsection (a) of this section shall exclusively
28 apply to acts or omissions by an architect that occur during the time
29 period that a declaration of a civil preparedness emergency pursuant to
30 section 28-9 of the general statutes is effective or for sixty days after the
31 issuance of such declaration, whichever is longer.

32 (c) For purposes of this section:

33 (1) "Built environment" means a human-made environment,
34 including homes, buildings, streets, sidewalks, parks and
35 transportation, energy and other infrastructure; and

36 (2) "Public safety official" means:

37 (A) A state or municipal police officer or firefighter;

38 (B) A building official or assistant building official under section 29-
39 261 of the general statutes or the State Building Inspector or his or her
40 designee under section 29-252 of the general statutes;

41 (C) A member of a community emergency response team that is
42 activated by the Department of Emergency Services and Public
43 Protection, a local emergency preparedness official or a municipal police

44 agency;

45 (D) An official from the Department of Emergency Services and
46 Public Protection; or

47 (E) An official from the Federal Emergency Management Agency.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	New section
Sec. 2	<i>October 1, 2021</i>	New section

JUD *Joint Favorable Subst.*