

1 Senator Adelman of the 42nd offered the following amendment:

2 Amend SB 336 by inserting on line 5 of page 1, following "applicability;", the following:
3 "to provide legislative findings; to provide immunity from liability for sexual assault nurse
4 examiners conducting examinations in support of a law enforcement investigation and
5 providers of facilities for such examinations;"

6 By inserting immediately following line 25 of page 2 the following:

7 **"SECTION 2-A.**

8 Said chapter is further amended by adding a new Code section to read as follows:

9 '51-1-50.

10 (a) The General Assembly hereby recognizes the essential expertise and support provided
11 to law enforcement agencies and prosecutors by sexual assault nurse examiners and the
12 providers of facilities for sexual assault examinations and the need to protect said
13 examiners and facility providers from civil liability that may arise from such examinations.

14 (b) Without waiving or affecting any existing immunity from any source and to be
15 cumulative of any existing immunity from any source, unless it is established that injuries
16 or death was caused by gross negligence or willful or wanton conduct:

17 (1) No licensed hospital, clinic, or nonprofit organization that provides facilities for the
18 medical and forensic examination of alleged victims of sexual assault; and

19 (2) No certified sexual assault nurse examiner who examines alleged victims

20 at the request of an agency of the state or one of its political subdivisions or a nonprofit
21 agency certified by the Criminal Justice Coordinating Council to be authorized to request
22 such examinations shall be liable for any damages or injuries sustained by the alleged victim
23 of sexual assault when the damages or injuries are alleged to have occurred by reason of an
24 act or omission to act during the examination."