

Senate Bill 408

By: Senators Brush of the 24th, Cheeks of the 23rd and Hall of the 22nd

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Code Section 35-1-7 of the Official Code of Georgia Annotated, relating to the
2 liability of law enforcement officers performing duties at the scene of an emergency, so as
3 to include certain physicians within the definition of law enforcement officers under certain
4 conditions; to provide for related matters; to repeal conflicting laws; and for other purposes.

5 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

6 **SECTION 1.**

7 Code Section 35-1-7 of the Official Code of Georgia Annotated, relating to the liability of
8 law enforcement officers performing duties at the scene of an emergency, is amended by
9 striking the Code section and inserting in lieu thereof the following:

10 "35-1-7.

11 A law enforcement officer shall not be liable at law for any action or actions done while
12 performing any duty at the scene of an emergency except for gross negligence, willful or
13 wanton misconduct, or malfeasance. As used in this Code section, the term 'law
14 enforcement officer' means any peace officer who is employed by this state or any political
15 subdivision thereof and who is required by the terms of his or her employment, whether by
16 election or appointment, to give his or her full time to the preservation of public order or
17 the protection of life and property or the prevention of crime. Such term shall include
18 sheriffs and deputy sheriffs. Such term shall also include any physician licensed under
19 Chapter 34 of Title 43 who volunteers to assist law enforcement officers while law
20 enforcement officers are engaged in tactical operations whether the physician volunteer is
21 working with or without compensation."

22 **SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.