Senate Bill 238

By: Senators Hill of the 32nd and Smith of the 52nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to

2 general provisions relative to torts, so as to provide for immunity from civil liability for

3 nonprofit organizations and individuals that financially sponsor charitable fundraising events;

4 to provide for an exception; to repeal conflicting laws; and for other purposes.

5   BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6   **SECTION 1.**

7 Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to general

8 provisions relative to torts, is amended by inserting at the end thereof a new Code Section

9 51-1-51 to read as follows:

10 "51-1-51.

11 If any philanthropic individual, cooperative, corporation, club, association, or organization,

12 or director, trustee, or member of the governing body of any such cooperative, corporation,

13 club, association, or organization, supplies only financial sponsorship or support for

14 another entity's charitable fundraising event and is not, in any way, involved in the

15 management, organization, planning, or execution of such event, and if the entity

16 managing, organizing, planning, or executing such charitable fundraising event provides

17 liability insurance in an amount not less than $1 million for any single occurrence and

18 $3 million for all occurrences of personal injury or property damage arising from such

19 event, then such individual, cooperative, corporation, club, association, organization,

20 director, trustee, or member shall not be liable for any personal injury or damage to

21 property arising from the other entity's charitable fundraising event. However, if such

22 financial sponsorship or support constitutes willful, wanton, or gross negligence, then such

23 immunity from suit shall not attach."

24   **SECTION 2.**

25 All laws and parts of laws in conflict with this Act are repealed.