

The Senate Judiciary Committee offered the following substitute to SB 238:

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 philanthropic
13 cooperative, corporation, club, association, or organization, supplies only financial
14 sponsorship or financial support for a charitable fundraising event of an entity whose
15 mission and purpose include the facilitation of placement of foster children and the
16 provider of such financial sponsorship or financial support is not, in any way, involved in
17 the management, organization, planning, or execution of such event, and if the entity
18 managing, organizing, planning, or executing such charitable fundraising event provides
19 liability insurance in an amount not less than \$1 million for any single occurrence and
20 \$3 million for all occurrences of personal injury or property damage arising from such
21 event, then such philanthropic individual, cooperative, corporation, club, association,
22 organization, director, trustee, or member shall not be liable for any personal injury or
23 damage to property arising from such charitable fundraising event. However, if such
24 financial sponsorship or financial support constitutes willful, wanton, or gross negligence,
25 then such immunity from suit shall not attach."

SECTION 2.

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- 2 All laws and parts of laws in conflict with this Act are repealed.