

Senate Bill 238

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

**AS PASSED SENATE**

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."

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**SECTION 2.**

2 All laws and parts of laws in conflict with this Act are repealed.