

The House Committee on Public Safety & Homeland Security offers the following substitute to SB 305:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated,
2 relating to organization and administration of emergency management, so as to revise a
3 provision relating to the licensing of nongovernmental rescue organizations; to provide a
4 short title; to amend Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating
5 to torts in general, so as to revise certain provisions relating to liability of persons and entities
6 in emergency situations; to provide for related matters; to provide for an effective date and
7 applicability; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 This Act shall be known and may be cited as the "Corporate Good Samaritan Act of 2008."

11 **SECTION 2.**

12 Article 2 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to
13 organization and administration of emergency management, is amended by revising
14 subsection (a) of Code Section 38-3-36, relating to the director licensing nongovernmental
15 rescue organizations, as follows:

16 "(a) Except as otherwise provided by subsection (b) of this Code section, all
17 nongovernmental rescue organizations, associations, groups, teams, search and rescue dog
18 teams, or individuals, whether or not they are holders of a charter issued by this state or
19 officers thereof, shall be prohibited from performing any rescue or emergency management
20 type activity until the organization, association, group, team, search and rescue dog team,
21 or individual has been licensed by the director of emergency management to perform the
22 activities. It is expressly declared that Articles 1 through 3 of this chapter shall not amend,
23 repeal, alter, or affect in any manner Code Section 51-1-29 or Code Section 51-1-29.2."

1 (d) Nothing in this Code section shall be construed to repeal, alter, or limit in any manner
2 any other provision of law granting immunity or limiting liability. Furthermore, nothing
3 in this Code section shall be construed to abrogate any state or local entity's sovereign
4 immunity."

5 **SECTION 4.**

6 This Act shall become effective upon its approval by the Governor or upon its becoming law
7 without such approval and shall apply to causes of action arising on or after such date.

8 **SECTION 5.**

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