

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 1223

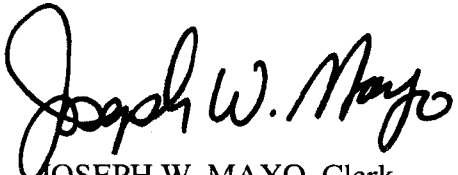
H.P. 866

House of Representatives, February 11, 1999

**An Act to Clarify the Immunity for Charitable Directors, Officers and  
Volunteers.**

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Reference to the Committee on Judiciary suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative MARVIN of Cape Elizabeth.  
Cosponsored by Senator: MILLS of Somerset.

**Be it enacted by the People of the State of Maine as follows:**

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3       **Sec. 1. 14 MRSA §158-A, sub-§2**, as enacted by PL 1987, c. 646,  
4       §2, is amended to read:

6

7       **2. Immunity.** A director, officer or volunteer is immune  
8       from civil liability for personal injury, death or ~~preperity~~  
9       ~~damage,--including to tangible or intangible property, including~~  
10       ~~civil or legal rights and any monetary loss related to the~~  
11       ~~injury, death or damages:~~

12

13       A. When the cause of action sounds in negligence and arises  
14       from an act or omission by the director, officer or  
15       volunteer ~~which that~~ occurs within the course and scope of  
16       the activities of the charitable organization in which the  
17       director, officer or volunteer serves including the  
18       provision of services or advice as part of any  
19       court-approved or court-affiliated legal services or  
20       assistance program; or

20

21       B. Arising from any act or omission, not personal to the  
22       director, officer or volunteer, ~~which that~~ occurs within the  
23       course and scope of the activities of the charitable  
24       organization in which the director, officer or volunteer  
25       serves.

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28

**SUMMARY**

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31       This bill makes clear that an unpaid volunteer who assists  
32       in the provision of legal services to indigent persons is not  
33       liable for inadvertent or negligent actions in providing legal  
34       services or advice. This immunity is consistent with the  
35       immunity provided to volunteers in other charitable services.