

Colorado State Forest Service
SB09-013 — Civil Immunity to Persons Engaged
in Emergency Response Activities



Summary

SB09-013, concerning the Extension of Civil Immunity for Persons Engaged in Emergency Response Activities, was recommended by the Interim Committee on Wildfire Issues in wildland- urban interface areas.

The bill exempts fire departments or other entities that donate surplus firefighting equipment from civil and criminal liability resulting from the use of such equipment.

It also exempts volunteer firefighters and their volunteer organizations from civil liability resulting from any action taken or not taken during firefighting efforts or other emergency services.

In addition, the bill provides that no state, county, or municipal agency engaged in emergency or disaster planning, training, or response activities is liable for the death of or injury to any person or loss of or damage to property, except in cases of willful or wanton acts or omissions.

No appropriations are attached with this legislation.

Talking Points

- SB09-013 recognizes the value that volunteer firefighters provide as first responders to wildland fires. Local fire departments generally are first on the scene and must make quick decisions to protect citizens, property, natural resources — and themselves. Their objectives are to keep the fires small while providing for the safety of fellow firefighters and the public.
- The bill also recognizes the value of the cooperative nature of wildland firefighting in Colorado and across the West. Volunteer fire departments, counties, state, and federal wildland agencies rely on each other to get the job done. This requires mobility across jurisdictional boundaries and cooperation through common training, command systems, terminology, and understanding of wildland fire behavior.
- SB09-013 will provide protection to volunteer firefighters and agency cooperators when they are making decisions under stressful, life-threatening conditions. Knowing that they are protected by state law takes some stress out of the decision-making environment and allows them to focus on the incident.
- SB09-013 recognizes and enforces the value of volunteers in Colorado's wildland firefighting endeavors.

Legislation takes effect upon signing June 3, 2009.