

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2282 Session of
2003

INTRODUCED BY MCGEEHAN, ALLEN, BEBKO-JONES, BELFANTI, BISHOP,
BLAUM, BUNT, CAPPELLI, CASORIO, CLYMER, CORRIGAN, CRUZ,
DALEY, DeLUCA, DENLINGER, DONATUCCI, FABRIZIO, FAIRCHILD,
GEORGE, GOOD, GOODMAN, HALUSKA, HENNESSEY, HERSHEY, JOSEPHS,
KILLION, KOTIK, LEDERER, LEWIS, O'NEILL, PISTELLA, READSHAW,
ROHRER, ROSS, RUFFING, SATHER, SEMMEL, B. SMITH, STABACK,
R. STEVENSON, TIGUE, WILT AND YOUNGBLOOD, DECEMBER 23, 2003

REFERRED TO COMMITTEE ON JUDICIARY, DECEMBER 23, 2003

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, providing for boating aid
3 victim good Samaritan civil immunity.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 42 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 8332.9. Boating victim aid good Samaritan civil immunity.

9 (a) General rule.--Except as otherwise provided in this
10 section, a person who provides or obtains or attempts to provide
11 or obtain assistance for a victim of a boating rescue involving
12 death or serious bodily injury in which the boat is adrift or
13 the person in charge of operating the boat is disabled shall not
14 be liable for the civil damages as a result of any acts or
15 omissions in providing or obtaining or attempting to provide or
16 obtain assistance.

1 (b) Exception.--Subsection (a) shall not apply to any acts
2 or omissions intentionally designed to harm or any acts or
3 omissions that constitute gross negligence or willful, wanton or
4 reckless conduct.

5 Section 2. This act shall take effect in 60 days.