

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2003



ENROLLED

**COMMITTEE SUBSTITUTE
FOR
House Bill No. 2406**

(By Delegates Doyle, Amores and Manuel)



Passed March 6, 2003

In Effect Ninety Days from Passage

FILED

2003 MAR 17 P 4:47

OFFICE WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 2406

(BY DELEGATES DOYLE, AMORES AND MANUEL)

[Passed March 6, 2003; in effect ninety days from passage.]

AN ACT to amend article seven, chapter fifty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section sixteen, relating to immunity from civil liability for members of a national ski patrol system under certain circumstances; and defining terms.

Be it enacted by the Legislature of West Virginia:

That article seven, chapter fifty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section sixteen, to read as follows:

ARTICLE 7. ACTIONS FOR INJURIES.

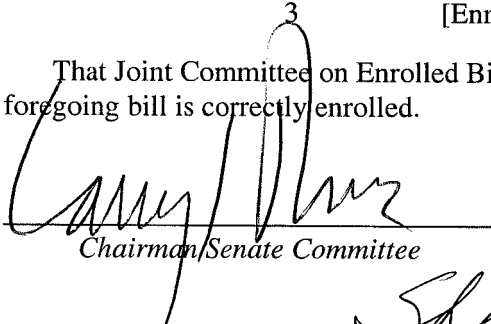
§55-7-16. Immunity from liability for ski patrol rendering emergency care.

1 (a) A member in good standing of a national ski patrol
2 system who, without compensation, provides emergency aid or
3 assistance to an injured or ill person at the scene of a ski resort
4 rescue operation, outdoor emergency rescue operation or while
5 otherwise performing ski patrol or while transporting an injured
6 or ill person to a place for transfer to an available emergency
7 medical center or hospital as the result of being on ski patrol,
8 may not be held liable for civil damages for any alleged act or
9 omission which is claimed to have occurred during the render-
10 ing of the emergency aid or assistance. The limitation of
11 liability established by the provisions of this section apply to
12 acts or omissions rendered in good faith.

13 (b) For the purposes of this section, a national ski patrol
14 system is a national organization whose members are volunteers
15 and do not receive compensation and are required to obtain
16 training in safety and emergency medical treatment.

17 (c) For purposes of this section, the term "compensation"
18 does not include access to a recreational facility, complimentary
19 lift tickets, food, lodging or other gifts or discounts that may be
20 offered or accessible to a person.

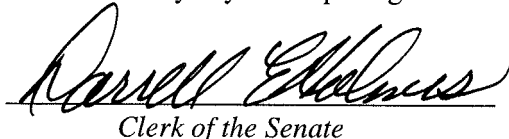
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

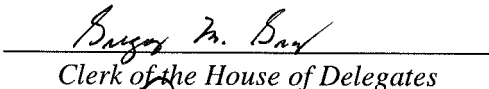

Chairman Senate Committee

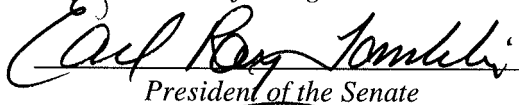

Chairman House Committee

Originating in the House.

In effect ninety days from passage

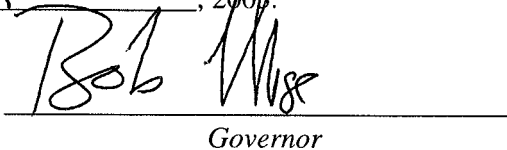

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within is approved this the 14th
day of March, 2008.


Governor

PRESENTED TO THE
GOVERNOR

Date 3/14/03

Time 9:30am