

January 21, 1969

HOUSE FILE 39

Human and Industrial Relations, *Pass* 2-3

*Sen.* " " " " " " 2-7  
*Pass or amended* 2-17

By MILLEN  
and HARBOR

Passed House, Date *2-5-69* Passed Senate, Date *3-13-69*

Vote: Ayes *119* Nays *2* Vote: Ayes *65* Nays *0*

*Passed House* Approved *March 28, 1969*  
*as amended by*  
*Senate 3-18-69*  
*110-1*

## A BILL FOR

- 1 An Act relating to emergency care or assistance.
- 2 *Be It Enacted by the General Assembly of the State of Iowa:*
- 3 Section 1. Any person, who in good faith renders emergency
- 4 care or assistance without compensation at the place of an
- 5 emergency or accident, shall not be liable for any civil
- 6 damages for acts or omissions unless such acts or omissions
- 7 constitute willful or wanton misconduct.

### EXPLANATION of HOUSE FILE 39

Since California adopted a so-called "Good Samaritan Law" in 1959, at least forty-two other states have enacted similar statutes. The purpose of such legislation is to encourage persons to render emergency care or assistance without fear of being sued. This Bill attempts to embody the best features of the forty-three laws in other states and covers the following points:

1. Who—"any person".
2. What—"renders emergency care or assistance".
3. Where—"at the place of an emergency or accident".
4. Limitations—
  - a. Must be "in good faith".
  - b. Services must be gratuitous.
  - c. Expressly preserves liability for "willful or wanton misconduct".

- 1 Amend House File 39, page 1, line 4, by striking
- 2 the words "without compensation".

Filed - *Lat* 3-13  
February 25, 1969

By RIGLER

# HOUSE

- 1 Amend House File 39, line 7, by inserting after the word
- 2 "constitute" the words "negligence, or".

Filed - *Withdrawn 2-5*  
February 4, 1969

JOHNSTON of Johnson

- 1 Amend the Johnston amendment to House File 39,
- 2 filed February 4, by inserting in line two (2),
- 3 preceding the word "negligence" the word "gross".

Filed and lost  
February 5, 1969

JOHNSTON of Johnson

Amend House File 39 by striking in line seven (7) the words, "willful or wanton misconduct" and by inserting in lieu thereof the word, "recklessness".

The amendment was adopted. 3-13

*House Concurred 3-18*  
*House of Industrial Relations*