



# HOUSE BILL 404: Immunity for 911 Dispatchers.

**This Bill Analysis  
reflects the contents  
of the bill as it was  
presented in  
committee.**

2021-2022 General Assembly

<b>Committee:</b>	House Judiciary 2. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	April 28, 2021
<b>Introduced by:</b>	Reps. Zachary, Warren	<b>Prepared by:</b>	Susan Sitze
<b>Analysis of:</b>	PCS to First Edition H404-CSSA-21		Staff Attorney

**OVERVIEW:** *The Proposed Committee Substitute (PCS) for House Bill 404 would provide that public safety answering points (PSAP) and their employees and agents are only liable for damages in a civil action for wanton or willful misconduct.*

**CURRENT LAW:**

G.S. 143B-1413 currently provides the following:

- Liability for communications service providers, 911 system providers, and next generation 911 system providers are only liable for wanton or willful misconduct. These entities are those that are providing the telephone and other types of systems that conduct communications through a 911 system.
- There is no limitation on liability for PSAPs or their employees or agents, but a plaintiff's burden of proof is the higher standard of clear and convincing evidence.

**BILL ANALYSIS:** The PCS for House Bill 404 would add PSAPs and their employees and agents to the same limitation of liability that currently applies to communication service providers, etc. and they would only be liable for damages for wanton or willful misconduct.

**EFFECTIVE DATE:** This act would be effective when it becomes law and would apply to causes of action filed on or after that date.

Jeffrey Hudson  
Director



H 4 0 4 - S M S A - 3 1 C S S A - 2 1 - V - 2

Legislative Analysis  
Division  
919-733-2578