



# HOUSE BILL 404: Immunity for 911 Dispatchers.

2021-2022 General Assembly

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<b>Committee:</b>		<b>Date:</b>	June 30, 2021
<b>Introduced by:</b>	Reps. Zachary, Warren	<b>Prepared by:</b>	Kristen L. Harris*
<b>Analysis of:</b>	Third Edition		Staff Attorney

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**OVERVIEW:** *House Bill 404 would provide that public safety answering points (PSAP) and their employees and agents and employees of law enforcement agencies who are certified by the North Carolina Sheriffs' Education and Training Standards Commission are 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 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:** House Bill 404 would add PSAPs and their employees and agents and employees of law enforcement agencies who are certified by the North Carolina Sheriffs' Education and Training Standards Commission to the same limitation of liability that currently applies to communication service providers, etc. and they would 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.

\* *Susan Sitze, Legislative Analysis Division, substantially contributed to this summary.*

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