

House Engrossed

public officials; entities; civil liability

State of Arizona
House of Representatives
Fifty-fifth Legislature
First Regular Session
2021

CHAPTER 324

HOUSE BILL 2624

AN ACT

AMENDING SECTION 12-820.05, ARIZONA REVISED STATUTES; RELATING TO ACTIONS
AGAINST PUBLIC ENTITIES OR PUBLIC EMPLOYEES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 12-820.05, Arizona Revised Statutes, is amended
3 to read:

4 12-820.05. Other immunities

5 A. Except as specifically provided in this article, this article
6 ~~shall~~ DOES not ~~be construed to~~ affect, alter or otherwise modify any other
7 rules of tort immunity regarding public entities and public officers as
8 developed at common law and as established under the statutes and the
9 constitution of this state.

10 B. A public entity is not liable for losses that arise out of and
11 are directly attributable to an act or omission determined by a court to
12 be a criminal felony by a public employee unless the public entity knew of
13 the public employee's propensity for that action. This subsection does
14 not apply to acts or omissions arising out of the operation or use of a
15 motor vehicle.

16 C. A PUBLIC ENTITY IS NOT LIABLE FOR DAMAGES AS A RESULT OF AN
17 INJURY CAUSED BY ANY ACT OR OMISSION BY A PUBLIC OFFICER WHO RENDERS
18 EMERGENCY CARE GRATUITOUSLY AND IN GOOD FAITH IN A PUBLIC BUILDING, AT A
19 PUBLIC GATHERING ON THE GROUNDS OF A PUBLIC BUILDING OR AT THE SCENE OF AN
20 EMERGENCY OCCURRENCE OR AS THE RESULT OF ANY ACT OR FAILURE TO ACT TO
21 PROVIDE OR ARRANGE FOR FURTHER MEDICAL TREATMENT OR CARE FOR THE INJURED
22 PERSON, UNLESS THE PUBLIC OFFICER, WHILE RENDERING THE EMERGENCY CARE, IS
23 GUILTY OF GROSS NEGLIGENCE.

APPROVED BY THE GOVERNOR MAY 5, 2021.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 5, 2021.