



ARIZONA STATE SENATE
Fifty-Fourth Legislature, Second Regular Session

FACT SHEET FOR S.B. 1291

emergency assistance; falls; liability

Purpose

Exempts a person from civil liability for providing emergency care or assistance to a person who has fallen, under specified circumstances.

Background

Statute includes various *Good Samaritan* laws that provide individuals who render emergency care or emergency assistance in specified circumstances relief from liability for civil damages, with certain exceptions. For example, a person who uses an automated external defibrillator to provide emergency care or assistance in good faith and without compensation while at the scene of any accident, fire or other life-threatening emergency is considered a *Good Samaritan* and is not subject to civil liability for personal injuries that result from any act or omission that does not constitute willful misconduct or gross negligence ([A.R.S. § 36-2263](#)).

Similarly, statute provides an exemption from liability in a civil action to a person who enters an unattended motor vehicle to remove a child or domestic animal if the person: 1) has a good faith belief that the child or animal is in imminent danger of physical injury or death unless removed from the vehicle; 2) determines that the motor vehicle is locked; 3) notifies a peace officer, emergency medical service provider or first responder, or an animal control enforcement agent or deputy before entering the motor vehicle, if appropriate; 4) does not use more force than is necessary under the circumstances to enter the motor vehicle; and 5) stays with the child or animal until the authorities arrive ([A.R.S. § 12-558.02](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Immunizes a person who in good faith renders emergency care or emergency assistance either at the direction of an emergency dispatch operator for, or to prevent further injury to, a person who has fallen from liability for civil damages that result from any act or omission by the person providing the emergency care or assistance, unless the person acted with gross negligence while providing the care or assistance.
2. Becomes effective on the general effective date.