
DIGEST

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Cromer

HB No. 206

Abstract: Limits the liability of nonprofit organizations designated by city or municipal courts to supervise or coordinate community service programs.

Present law defines "designated nonprofit organization" as a private, nonprofit, tax-exempt organization under Section 501(c)(3), Internal Revenue Code, pursuant to 26 U.S.C. §501(c)(3), which has been designated by the judges of the judicial district within which it is located to coordinate or supervise the utilization of the community service of persons sentenced to perform community service as an alternative to incarceration.

Present law provides that the state shall hold harmless and indemnify designated nonprofit organizations for acts or omission of a community service worker resulting in damage or injury unless the damage or injury was caused by willful or wanton conduct.

Present law provides that employees of designated nonprofit organizations shall not be individually liable for any act or omission resulting in damage or injury unless the damage or injury was caused by willful or wanton conduct.

Present law provides that a community service worker shall have no cause of action for damages, except for the payment of medical expenses, against the entity conducting or supervising the program.

Proposed law retains present law but also specifies that the same limitations of liability are applicable to nonprofit organizations designated by city or municipal courts.

(Amends R.S. 9:2792.8(A)(1))