

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

H

D

HOUSE BILL 95
PROPOSED COMMITTEE SUBSTITUTE H95-PCS30147-TO-5

Short Title: Standard of Proof/Public Safety Dispatchers.

(Public)

Sponsors:

Referred to:

February 13, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO ALTER THE STANDARD OF PROOF FOR PUBLIC SAFETY
3 TELECOMMUNICATORS AND DISPATCHERS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Chapter 99E of the General Statutes is amended by adding a new
6 Article to read:

7 "Article 5.

8 "Liability for Public Safety Telecommunicators and Dispatchers.

9 **"§ 99E-41. Standard of Proof.**

10 Any persons acting within the capacity of a 911 or public safety telecommunicator or
11 dispatcher at a public safety answering point who is sued in a civil action arising from the
12 performance of any lawful and prescribed actions pertaining to the person's assigned job duties
13 shall be entitled to a standard of clear and convincing evidence in a court of law. For purposes
14 of this Article, "public safety answering point" (PSAP) shall be defined as in G.S. 62-40."

15 **SECTION 2.** This act is effective when it becomes law and applies to any cause of
16 action arising on or after that date.



* H 9 5 - P C S 3 0 1 4 7 - T O - 5 *