GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL DRH10176-LM-42

Short Title: Immunity for 911 Dispatchers. (Public)

Sponsors: Representative Zachary.

Referred to:

A BILL TO BE ENTITLED

AN ACT PROVIDING THAT PUBLIC SAFETY ANSWERING POINTS, REGIONAL
PUBLIC SAFETY ANSWERING POINTS, AND THEIR EMPLOYEES AND AGENTS
ARE NOT LIABLE FOR DAMAGES IN A CIVIL ACTION EXCEPT IN CASES OF
WANTON OR WILLFUL MISCONDUCT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143B-1413 reads as rewritten:

"§ 143B-1413. Limitation of liability.
(a) Except in cases of wanton or willful misconduct, a communications service
provider, a 911 system provider or provider, a next generation 911 system provider, PSAP,
regional PSAP, and their employees, directors, officers, vendors, and agents are not liable for
any damages in a civil action resulting from death or injury to any person or from damage to
property incurred by any person in connection with developing, adopting, implementing,
maintaining, or operating the 911 system, including call taking, dispatching, radio
operations, data terminal operations, or any combination of these call taking functions in a PSAP,
or in complying with emergency-related information requests from State or local government
officials. This section does not apply to actions arising out of the operation or ownership of a
motor vehicle by an employee or agent of a 911 system provider, next generation 911
system provider, PSAP, or regional PSAP. The acts and omissions described in this section
include, but are not limited to, the following:
(1) The release of subscriber information related to emergency calls or emergency
services.
(2) The use or provision of 911 service, E911 service, or next generation 911
service.
(3) Other matters related to 911 service, E911 service, or next generation 911
service.
(4) Text-to-911 service.
(b) In any civil action by a user of 911 services or next generation 911 services arising
from an act or an omission by a PSAP, and the officers, directors, employees, vendors, agents,
and authorizing government entity of the PSAP, in the performance of any lawful and prescribed
actions pertaining to their assigned job duties as a telecommunicator. The telecommunicator, the
plaintiff's burden of proof shall be by clear and convincing evidence."

SECTION 2. This act is effective when it becomes law and applies to causes of
action filed on or after that date.