A BILL TO BE ENTITLED
AN ACT PROVIDING THAT PUBLIC SAFETY ANSWERING POINTS, REGIONAL
PUBLIC SAFETY ANSWERING POINTS, AND THEIR EMPLOYEES AND AGENTS
AND EMPLOYEES OF LAW ENFORCEMENT AGENCIES 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,
and a 911 system provider or provider, next generation 911 system provider, PSAP, regional
PSAP, and their employees, directors, officers, vendors, and agents and employees of a law
enforcement agency who are certified by the North Carolina Sheriffs’ Education and Training
Standards Commission 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 or an employee of a law
enforcement agency. 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.