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SENATE BILL 623

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

John T. L. Grubesi c

AN ACT

RELATING TO HUMAN SERVICES; PROVIDING LIABILITY PROTECTION FOR
HUMAN SERVICES REFERRAL SERVICES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of Chapter 27 NMSA 1978 is
enacted to read:

"~~[NEW MATERIAL]~~ HUMAN SERVICES REFERRAL SERVICE- - LIABILITY
IMMUNITY. - -

A. An employee, agent, financial supporter or
volunteer of a human services referral service is not liable
for damages in a civil action for injury, death or loss to a
person or property resulting from an act or omission by the
employee, agent, financial supporter or volunteer of a human
services referral service that arises from the good faith
conduct of the employee, agent, financial supporter or

underscored material = new
[bracketed material] = delete

1 volunteer of the human services referral service while acting
2 within the scope of the duties performed for the human services
3 referral service, including the developing, adopting,
4 authorizing, implementing, maintaining, enhancing or operating
5 of the human services referral service unless the act or
6 omission and subsequent injury, death or loss to a person or
7 property was intentionally caused or resulted from the gross
8 negligence of the employee, agent, financial supporter or
9 volunteer of the human services referral service.

10 B. As used in this section, "human services
11 referral service" means a referral service that responds to
12 questions from consumers or potential consumers of public
13 assistance, federal entitlement programs or other human
14 services programs who contact the referral service by use of a
15 dedicated three-digit toll-free telephone number, such as
16 2-1-1, by providing information about human services programs
17 available to residents of New Mexico. "