

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

**HOUSE BILL 552
RATIFIED BILL**

AN ACT TO PROVIDE QUALIFIED IMMUNITY FOR PERSONS SERVING ON
LOCAL BOARDS OF TRUSTEES OF THE FIREMEN'S RELIEF FUND OF
NORTH CAROLINA.

The General Assembly of North Carolina enacts:

SECTION 1. Article 84 of Chapter 58 of the General Statutes of North Carolina is amended by adding a new section to read:

"§ 58-84-60. Immunity.

A person serving on a local board of trustees of the Firemen's Relief Fund shall be immune individually from civil liability for monetary damages, except to the extent covered by insurance, for any act or failure to act arising out of this service, except where the person:

- (1) Was not acting within the scope of that person's official duties;
- (2) Was not acting in good faith;
- (3) Committed gross negligence or willful or wanton misconduct that resulted in the damages or injury;
- (4) Derived an improper personal financial benefit, either directly or indirectly, from the transaction; or
- (5) Incurred the liability from the operation of a motor vehicle."

SECTION 2. This act becomes effective October 1, 2007, and applies only to causes of action arising on or after that date.

In the General Assembly read three times and ratified this the 16th day of May, 2007.

Marc Basnight
President Pro Tempore of the Senate

Joe Hackney
Speaker of the House of Representatives

Michael F. Easley
Governor

Approved _____m. this _____ day of _____, 2007