

1 SB289
2 212677-3
3 By Senator Albritton
4 RFD: Judiciary
5 First Read: 02-MAR-21

2
3
4 ENGROSSED

5
6
7 A BILL
8 TO BE ENTITLED
9 AN ACT

10
11 Relating regional mental health entities; to add
12 Section 22-51-15 to the Code of Alabama 1975, to provide
13 limitations of liability for certain regional mental health
14 entities and the directors and employees thereof.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. Section 22-51-15 is added to the Code of
17 Alabama 1975, to read as follows:

18 §22-51-15.

19 (a) This section shall be construed to supersede any
20 protections limiting damages described in Article 8 of Chapter
21 47 of Title 11, and Chapter 93 of Title 11, which may have
22 been available to entities organized pursuant to this chapter.

23 (b) When directors and employees of an entity
24 organized pursuant to this chapter are engaged in the
25 discharge of services or programs certified and contracted for
26 by the Alabama Department of Mental Health, such directors and
27 employees shall be entitled to immunity to the same extent and

1 under the same circumstances afforded to state employees
2 pursuant to Section 36-1-12.

3 (c) An entity organized pursuant to this chapter
4 shall not be liable for any conduct protected pursuant to
5 subsection (b).

6 (d) Subsections (b) and (c) do not apply to
7 subcontractors or independent contractors of an entity
8 organized pursuant to this chapter.

9 (e) This section only applies to claims that accrue
10 on or after the effective date of the act adding this code
11 section.

12 Section 2. This act shall become effective on the
13 first day of the third month following its passage and
14 approval by the Governor, or its otherwise becoming law.

1
2
3
4
5
6
7
8
9
10

11
12
13
14
15
16
17

Senate

Read for the first time and referred to the Senate
committee on Judiciary..... 02-MAR-21

Read for the second time and placed on the calen-
dar with 1 substitute and..... 08-APR-21

Read for the third time and passed as amended 13-APR-21

Yeas 31
Nays 0

Patrick Harris,
Secretary.