

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

1 SB289

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4 ENROLLED, An Act,

5 Relating regional mental health entities; to add
6 Section 22-51-15 to the Code of Alabama 1975, to provide
7 limitations of liability for certain regional mental health
8 entities and the directors and employees thereof.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

12 §22-51-15.

13 (a) This section shall be construed to supersede any
14 protections limiting damages described in Article 8 of Chapter
15 47 of Title 11, and Chapter 93 of Title 11, which may have
16 been available to entities organized pursuant to this chapter.

17 (b) When directors and employees of an entity
18 organized pursuant to this chapter are engaged in the
19 discharge of services or programs certified and contracted for
20 by the Alabama Department of Mental Health, such directors and
21 employees shall be entitled to immunity to the same extent and
22 under the same circumstances afforded to state employees
23 pursuant to Section 36-1-12.

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

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

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

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

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB289

Senate 13-APR-21

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives
Passed: 29-APR-21

By: Senator Albritton