

## Liability: Intrastate Mutual Aid

### ACA 12-75-119(h)

An emergency responder who, in good faith, provides emergency management services and complies with, or attempts to comply with, rules from the requesting jurisdiction will not be held legally responsible for acting or failing to act. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

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### Statewide mutual aid system

(h)

(1) All activities performed under this section are deemed to be governmental functions.

(2)

(A) For the purposes of liability, an emergency responder acting under the operational control of a participating emergency jurisdiction requesting assistance is deemed to be an employee of the participating emergency jurisdiction requesting assistance and exercising operational control.

(B) Except in cases of willful misconduct, gross negligence, or bad faith, neither the participating emergency jurisdiction providing assistance nor its employees shall be liable for the death of or injury to persons or for damage to property when complying or attempting to comply with the request of a participating emergency jurisdiction for assistance under the statewide mutual aid system.