

Liability: Assisting on Behalf of the Government

Utah Code Ann. 78B-4-501(2)-(3)

An individual who, in good faith and without compensation, assists a political subdivision or a government during a state of emergency or assists in investigating and controlling communicable diseases, bioterrorism, or other conditions affecting the public health, will not be held legally responsible for acting or failing to act. They can be held legally responsible if acting with extreme carelessness.

Good Samaritan Act

(2) A person who gratuitously, and in good faith, assists governmental agencies or political subdivisions in the activities described in Subsections (2)(a) through (c) is not liable for any civil damages or penalties as a result of any act or omission unless the person rendering assistance is grossly negligent in:

(a) implementing measures to control the causes of epidemic and communicable diseases and other conditions significantly affecting the public health, or necessary to protect the public health as set out in Title 26A, Chapter 1, Local Health Departments;

(b) investigating and controlling suspected bioterrorism and disease as set out in Title 26, Chapter 23b, Detection of Public Health Emergencies Act; and

(c) responding to a national, state, or local emergency, a public health emergency as defined in Section 26-23b-102, or a declaration by the President of the United States or other federal official requesting public health-related activities.

(3) The immunity in Subsection (2) is in addition to any immunity or protection in state or federal law that may apply.