

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE BILL 352
Committee Substitute Favorable 4/29/15

Short Title: Standard of Proof/Public Safety Dispatchers.

(Public)

Sponsors:

Referred to:

March 26, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO ALTER THE STANDARD OF PROOF FOR PUBLIC SAFETY
3 TELECOMMUNICATORS AND DISPATCHERS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Chapter 99E of the General Statutes is amended by adding a new
6 Article to read:

7 "Article 7.

8 "Liability for Public Safety Telecommunicators and Dispatchers.

9 **"§ 99E-56. Standard of proof.**

10 In any civil action arising from any act or omission by the defendant in the performance of
11 any lawful and prescribed actions pertaining to the defendant's assigned job duties as a 911 or
12 public safety telecommunicator or dispatcher at a primary public safety answering point as
13 defined in G.S. 62A-40(18) or at any public safety agency to which 911 calls are transferred
14 from a primary PSAP as defined in G.S. 62A-40(16) for dispatch of appropriate public safety
15 agencies, the plaintiff's burden of proof shall be by clear and convincing evidence."

16 **SECTION 2.** This act is effective when it becomes law and applies to any cause of
17 action arising on or after that date.

