

## S 1684

Volunteer Organization Protection Act of 2015

**Congress:** 114 (2015–2017, Ended)

**Chamber:** Senate

**Policy Area:** Law

**Introduced:** Jun 25, 2015

**Current Status:** Read twice and referred to the Committee on the Judiciary.

**Latest Action:** Read twice and referred to the Committee on the Judiciary. (Jun 25, 2015)

**Official Text:** <https://www.congress.gov/bill/114th-congress/senate-bill/1684>

### Sponsor

**Name:** Sen. Kirk, Mark Steven [R-IL]

**Party:** Republican • **State:** IL • **Chamber:** Senate

### Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Hoeven, John [R-ND]	R · ND		Jun 25, 2015
Sen. Ayotte, Kelly [R-NH]	R · NH		Apr 25, 2016
Sen. Moran, Jerry [R-KS]	R · KS		Sep 12, 2016

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Jun 25, 2015

### Subjects & Policy Tags

**Policy Area:**

Law

### Related Bills

Bill	Relationship	Last Action
114 HR 2290	Related bill	<b>Jun 1, 2015:</b> Referred to the Subcommittee on the Constitution and Civil Justice.

## **Volunteer Organization Protection Act of 2015**

Amends the Volunteer Protection Act of 1997 to expand liability protections to volunteer nonprofit organizations for harm caused by an act or omission of a volunteer on behalf of the organization.

Prohibits such liability protections from applying if the organization: (1) would be liable under laws governing the direct or vicarious liability of organizations, and (2) expressly authorized the specific conduct constituting the act or omission.

Bars such an organization from liability for harm caused by the organization, or a volunteer acting on its behalf, if the act or omission was at the request of, or pursuant to an authorization by, the federal government, a state government, or another governmental subdivision, provided that: (1) the requesting or authorizing governmental entity would have been immune from suit or from liability in damages if the entity had engaged in the act or omission itself or through an employee, agent, or independent contractor; or (2) any governmental employee, agent, or contractor who had engaged in the act or omission on behalf of the requesting or authorizing governmental entity would have been immune from suit or from liability in damages by virtue of immunity extended to individual governmental actors.

Prohibits punitive damages from being awarded against a volunteer nonprofit organization for the actions of a volunteer within the scope of the volunteer's responsibilities to the organization unless the claimant establishes by clear and convincing evidence that the organization itself expressly authorized the volunteer's action with a conscious, flagrant indifference to the rights or safety of the individual harmed.

Sets forth factors to be considered to determine whether a nonprofit organization is presumed to be a volunteer nonprofit organization.

## **Actions Timeline**

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- **Jun 25, 2015:** Introduced in Senate
- **Jun 25, 2015:** Read twice and referred to the Committee on the Judiciary.

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