

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

SESSION LAW 2015-71
HOUSE BILL 352

AN ACT TO ALTER THE STANDARD OF PROOF FOR PUBLIC SAFETY
TELECOMMUNICATORS AND DISPATCHERS.

The General Assembly of North Carolina enacts:

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

"Article 7.

"Liability for Public Safety Telecommunicators and Dispatchers.

§ 99E-56. Standard of proof.

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

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

In the General Assembly read three times and ratified this the 4th day of June, 2015.

s/ Daniel J. Forest
President of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Pat McCrory
Governor

Approved 10:00 a.m. this 11th day of June, 2015

