

## No. 366

## AN ACT

## SB 369

Amending the act of March 19, 1951 (P.L.28), entitled "An act relating to the civil defense of this State and its coordination with national defense; providing for the establishment of a State Council of Civil Defense, local and district councils of civil defense, Mobile Support Units; prescribing the powers, duties and immunities thereof and of their personnel; authorizing mutual aid compacts, and providing penalties," providing immunity to certain additional persons.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 11, act of March 19, 1951 (P.L.28), known as the "State Council of Civil Defense Act of 1951," amended July 29, 1953 (P.L.1027), is amended to read:

Section 11. Immunity.—Neither the State nor any political subdivision thereof nor other agencies nor, except in cases of wilful misconduct, the agents, employes or representatives of any of them engaged in any civil defense activities, *nor except in cases of wilful misconduct<sup>1</sup> or gross negligence any person, firm, corporation or entity under contract with them to provide equipment or work on a cost basis to be used in disaster relief*, while complying with or attempting to comply with this act or any rule or regulation promulgated pursuant to the provisions of this act, shall be liable for the death of or any injury to persons or damage to property as a result of such activity. The provisions of this section shall not affect the right of any person to receive benefits to which he would otherwise be entitled under this act or under the Workmen's Compensation Law or under any pension law, nor the right of any such person to receive any benefits or compensation under any act of Congress.

Any person owning or controlling real estate or other premises, who voluntarily and without compensation grants a license or privilege or otherwise permits the designation or use of the whole or any part or parts of such real estate or premises for any civil defense purpose, shall, together with his successors in interest, if any, not be civilly liable for negligently causing the death or injury or loss or damage of the property of any person who shall be upon such real estate or other premises for any such purpose.

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<sup>1</sup>"of" in original.

APPROVED—The 29th day of December, A. D. 1972.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly  
No. 366.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive style with a large initial "C" and a prominent "T".

*Secretary of the Commonwealth.*