

# HOUSE BILL No. 4221

February 16, 1989, Introduced by Reps. Bankes, Emmons, Dunaskiss, Willis Bullard, Crandall, Miller, Fitzgerald, Jaye, Sikkema, Runco, Sparks, Giese, Dolan, Camp, Hoekman, Trim, Munsell, Middaugh, Wartner, Krause, Bandstra, Van Regenmorter, Bennett, DeMars, Law, Bender, Nye, Stopczynski, Keith, Webb, Dutko, Gire, Pitoniak, Kosteva, Profit, London, Wallace, Gubow and Hart and referred to the Committee on Judiciary.

A bill to amend Act No. 162 of the Public Acts of 1982,  
entitled  
"Nonprofit corporation act,"  
as amended, being sections 450.2101 to 450.3192 of the Michigan  
Compiled Laws, by adding section 550.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 162 of the Public Acts of 1982, as  
2 amended, being sections 450.2101 to 450.3192 of the Michigan  
3 Compiled Laws, is amended by adding section 550 to read as  
4 follows:

5 SEC. 550. (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION,  
6 EACH VOLUNTEER OF A NONPROFIT CORPORATION SHALL BE IMMUNE FROM  
7 TORT LIABILITY FOR INJURIES TO PERSONS OR DAMAGES TO PROPERTY  
8 CAUSED BY THE VOLUNTEER IF ALL OF THE FOLLOWING ARE MET:

1 (A) THE VOLUNTEER WAS ACTING OR REASONABLY BELIEVED HE OR  
2 SHE WAS ACTING WITHIN THE SCOPE OF HIS OR HER AUTHORITY.

3 (B) THE VOLUNTEER WAS ACTING IN GOOD FAITH.

4 (C) THE VOLUNTEER'S CONDUCT DID NOT AMOUNT TO GROSS NEGLIGENCE OR  
5 WILLFUL AND WANTON MISCONDUCT.

6 (D) THE VOLUNTEER'S CONDUCT WAS NOT AN INTENTIONAL TORT.

7 (2) AS USED IN THIS SECTION, "VOLUNTEER" MEANS AN INDIVIDUAL  
8 PERFORMING SERVICES FOR A NONPROFIT CORPORATION WHO DOES NOT  
9 RECEIVE COMPENSATION OR ANY OTHER THING OF VALUE FOR THE SERVICES,  
10 OTHER THAN REIMBURSEMENT FOR EXPENSES ACTUALLY INCURRED.