



## ***Limited Liability of Volunteers***

For any non-stock corporation, defined in State Statute 181.0670:

(1) DEFINITION. In this section. “volunteer” means an individual, other than an employee of the corporation who provides services to or on behalf of the corporation without compensation.

(2) LIMITED LIABILITY. Except as provided in sub. (3), a volunteer is not liable to any person for damages, settlements, fees, fines, penalties or other monetary liabilities arising from any act or omission as a volunteer, unless the person asserting liability proves that the act or omission constitutes any of the following:

- a) A violation of criminal law, unless the volunteer had reasonable cause to believe that his or her conduct was lawful or had no reasonable cause to believe that his or her conduct was unlawful.
- b) Willful misconduct.
- c) If the volunteer is a director or officer of the corporation, an act or omission within the scope of the volunteer’s duties as a director or officer.
- d) An act or omission for which the volunteer received compensation or any thing of substantial value instead of compensation.
- e) Negligence in the practice of a profession, trade or occupation that requires a credential, as defined in s. **440.01(2)(a)\***, or other license, registration, certification, permit or approval, if the volunteer did not have the required credential, license, registration, certificate, permit or approval at the time of the negligent act or omission.

(3) APPLICABILITY. (a) Except as provided in par. (b), this section does not apply to any of the following:

1. A civil or criminal proceeding brought by or on behalf of any governmental unit, authority or agency.
2. A proceeding brought by any person for a violation of state or federal law if the proceeding is brought under an express private right of action created by state or federal statute.
3. Claims arising from the negligent operation by a volunteer of an automobile, truck, train, airplane or other vehicle for which an operator’s permit, license or insurance is required.

(b) Paragraph (a) 1. and 2. do not apply to a proceeding brought by or on behalf of a governmental unit, authority or agency in its capacity as a contractor.

**\*Statute 440.01(2)(a):** In this subchapter:

“Credential” means a license, permit, or certificate of certification or registration that is issued under chs. 440-480, the Department of Regulation and Licensing.

## **Additional Statutes:**

146.31(2) & (3) Blood or tissue transfer services.

146.37 Health care services review; civil immunity.

**893.82 Claims against state employee; notice of claim; limitation of damages.**

895.44 Exemption from civil liability for furnishing safety inspection or advisory services.

**895.46 State and political subdivisions thereof to pay judgments taken against officers.**

895.48 Civil liability exemption; emergency care, athletic events health care, hazardous substances and information concerning paternity.

895.51 Liability exemption: food donation, sale or distribution.

895.52 Recreational activities; limitation of property owners' liability.



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