

# SENATE BILL No. 771

March 15, 1988, Introduced by Senator DI NELLO and referred to the Committee on Judiciary.

A bill to provide limited immunity from civil liability for certain nonprofit corporations which conduct or sponsor youth sports programs and certain persons who provide services for youth sports programs.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. As used in this act:

2       (a) "Compensation" means remuneration for services  
3 rendered. Compensation does not include reimbursement for rea-  
4 sonable expenses actually incurred or, for umpires and referees  
5 only, an honorarium not exceeding \$25.00.

6       (b) "Nonprofit corporation" means a corporation organized  
7 under the nonprofit corporation act, Act No. 162 of the Public  
8 Acts of 1982, being sections 450.2101 to 450.3192 of the Michigan  
9 Compiled Laws.

1 (c) "Sports program" means a program which involves a  
2 competitive sport formally recognized as a sport by the United  
3 States olympic committee, the amateur athletic union, or the  
4 national collegiate athletic association and whose participants  
5 are 18 years of age or less or 19 years of age if the  
6 participant's nineteenth birthday occurs during either the year  
7 in which participation in the sports program occurs or the com-  
8 petitive season, whichever is longer. Sports program includes a  
9 program whose participants are mentally retarded or physically  
10 handicapped, or both, regardless of age.

11 Sec. 3. (1) Except as otherwise provided in this act, an  
12 individual who, without compensation and as a volunteer, renders  
13 services as a manager, coach, instructor, umpire, or referee or  
14 an assistant to a manager, coach, instructor, umpire, or referee  
15 in a sports program operated or sponsored by a nonprofit corpora-  
16 tion shall not be liable for civil damages as a result of acts or  
17 omissions in rendering the services, except acts or omissions  
18 amounting to gross negligence or willful and wanton misconduct.

19 (2) Except as otherwise provided in this act, a nonprofit  
20 corporation or an officer or employee of a nonprofit corporation  
21 which conducts or sponsors a sports program shall not be liable  
22 for civil damages as a result of acts or omissions in conducting  
23 or sponsoring the sports program, except acts or omissions  
24 amounting to gross negligence or willful and wanton misconduct.

25 Sec. 5. This act does not apply to either of the  
26 following:

1       (a) Acts or omissions relating to the transportation of  
2 participants in a sports program or others to or from a game,  
3 event, or practice.

4       (b) Acts or omissions relating to the care and maintenance  
5 of real estate which is unrelated to the practice or playing  
6 areas which an individual or nonprofit corporation covered under  
7 this act owns, possesses, or controls.