

with the services that he performs for a charitable organization, and that are reimbursed to the volunteer or otherwise paid.

(4) (i) "Volunteer" means an officer, director, trustee, or other person who performs services for a charitable organization but does not receive compensation, either directly or indirectly, for those services.

(ii) In a health care malpractice action, "volunteer" does not include a provider of services or an employee who performs duties on behalf of a charitable organization.

(5) "Suit" means any civil action, including a health care malpractice action, brought against a volunteer of a charitable organization or against the charitable organization by virtue of the volunteer's acts or omissions in providing services or performing duties on behalf of the charitable organization.

(b) A volunteer is not liable in damages beyond the limits of any personal insurance the volunteer may have in any suit that arises from the actions or omissions of any of the officers, employees, trustees, or other volunteers of the charitable organization for which the volunteer performs services, unless:

(1) The volunteer knew or should have known of an action or omission of a particular officer, employee, trustee, or other volunteer, and the volunteer authorizes, approves, or otherwise actively participates in that action or omission; or

(2) After an action or omission of a particular officer, employee, trustee, or other volunteer, the volunteer, with full knowledge of that action or omission, ratifies it.

(c) A volunteer is not liable in damages beyond the limits of any personal insurance the volunteer may have in any suit that arises from the volunteer's actions or omissions in connection with any services that the volunteer performs for the charitable organization, unless an action or omission of the volunteer constitutes reckless, willful, or wanton misconduct or intentionally tortious conduct.

SECTION 2. AND BE IT FURTHER ENACTED, That the provisions of this Act shall apply to any cause of action arising on or after July 1, 1989.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1989.

Approved May 19, 1989.