

LBD05048-02-3

1 (D) "GUEST" MEANS A PERSON WHO IS PHYSICALLY PRESENT ON THE PRIVATE  
2 PREMISES OF A HOST, WHICH SHALL NOT BE DEEMED TO INCLUDE PERSONS TRES-  
3 PASSING UPON THE PRIVATE PREMISES.

4 2. A HOST WHO IS PRESENT AND HAS ACTUAL KNOWLEDGE THAT A GUEST ON THE  
5 PRIVATE PREMISES OVER WHICH THE HOST EXERCISES CONTROL IS SUFFERING OR  
6 HAS SUFFERED A MEDICAL EMERGENCY AND WHO FAILS TO GIVE REASONABLE  
7 ASSISTANCE TO SUCH GUEST SHALL BE LIABLE FOR DAMAGES FOR INJURIES  
8 SUSTAINED BY SUCH GUEST OR FOR DAMAGES FOR THE DEATH OF SUCH GUEST WHICH  
9 OCCURRED BY REASON OF SUCH FAILURE. REASONABLE ASSISTANCE MAY INCLUDE  
10 OBTAINING OR ATTEMPTING TO OBTAIN AID FROM LAW ENFORCEMENT OR MEDICAL  
11 PERSONNEL.

12 3. NOTWITHSTANDING SUBDIVISION TWO OF THIS SECTION, ONCE A HOST OR  
13 OTHER PERSON AT THE PRIVATE PREMISES HAS UNDERTAKEN TO RENDER REASONABLE  
14 ASSISTANCE TO A GUEST, IT SHALL BE A COMPLETE DEFENSE AGAINST ANY CLAIM  
15 FOR CIVIL DAMAGES ALLEGEDLY CAUSED BY ACTS OR OMISSIONS OF SUCH PERSON  
16 IN RENDERING SUCH ASSISTANCE, UNLESS IT IS ESTABLISHED THAT SUCH INJU-  
17 RIES OR DEATH WERE CAUSED BY GROSS NEGLIGENCE ON THE PART OF SUCH  
18 PERSON.

19 S 3. This act shall take effect on the sixtieth day after it shall  
20 have become a law.