

## LEGISLATIVE BILL 140

Approved by the Governor May 22, 1975

Introduced by Luedtke, 28

AN ACT to amend section 39-669.12, Revised Statutes Supplement, 1974, relating to the implied consent law; to provide the status of those withdrawing blood at the request of an officer; to provide for liability and immunity; and to repeal the original section. Be it enacted by the people of the State of Nebraska,

Section 1. That section 39-669.12, Revised Statutes Supplement, 1974, be amended to read as follows:

39-669.12. ~~No~~ Any physician, registered nurse, or qualified technician, or hospital shall be held liable, in damages or otherwise, for any act done or omitted in an agent of the State of Nebraska when performing the act of withdrawing blood at the request of a law enforcement officer pursuant to section 39-669.08. ~~The state shall be liable in damages for any illegal or negligent acts or omissions of such agents in performing the act of withdrawing blood at the request of a law enforcement officer pursuant to section 39-669.08. The physician, registered nurse, qualified technician, or hospital shall not be individually liable in damages or otherwise for any act done or omitted in performing the act of withdrawing blood at the request of a law enforcement officer pursuant to section 39-669.08, except for acts of gross negligence of the agent or of persons employed by such agent.~~

Sec. 2. That original section 39-669.12, Revised Statutes Supplement, 1974, is repealed.