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RECOVERY OF DAMAGES BY FIREFIGHTERS AND POLICE OFFICERS

House Bill 4202

Sponsor: Rep. Gloria Schermesser

Committee: Civil Law and the Judiciary

Complete to 10-2-01

A SUMMARY OF HOUSE BILL 4202 AS INTRODUCED 2-13-01

Public Act 239 of 1998 abolished the common law doctrine known as the “firefighter’s rule”. The doctrine prohibited firefighters and police officers from recovering damages for injuries incurred during the normal course of their work. Thus, the 1998 legislation allows firefighters or police officers to recover damages for injury or death arising from the normal, inherent, foreseeable risks of their profession while acting in their official capacity. However, under the act, a person must prove at least one circumstance out of a list specified in section 2967 of the Revised Judicature Act. House Bill 4202 would repeal this section, and effectively relieve firefighters and police officers (or other estates) who were injured or killed in the course of duty from having to establish that any of the listed circumstances were present, in order to recover damages.

MCL 600.2967

House Bill 4202 (10-2-01)

Analyst: M. Wolf

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.