

§158. Damages for tortious conduct of charitable organizations

A charitable organization is considered to have waived its immunity from liability for negligence or any other tort during the period a policy of insurance is effective covering the liability of the charitable organization for negligence or any other tort. Each policy issued to a charitable organization must contain a provision to the effect that the insurer is estopped from asserting, as a defense to any claim covered by the policy, that the organization is immune from liability on the ground that it is a charitable organization. Except as provided in section 158-C, subsection 2, the amount of damages in any such case may not exceed the limits of coverage specified in the policy, and the courts shall abate any verdict in any such action to the extent that it exceeds the limits. [PL 2023, c. 351, §1 (AMD).]

SECTION HISTORY

PL 1965, c. 513, §28 (NEW). PL 2023, c. 351, §1 (AMD).

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