



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4015

Introduced 1/8/2020, by Rep. Katie Stuart

SYNOPSIS AS INTRODUCED:

20 ILCS 3305/8

from Ch. 127, par. 1058

Amends the Illinois Emergency Management Agency Act. Provides that architects, engineers, individuals with specified qualifications, and construction contractors, equipment dealers, and other owners and operators of construction equipment may volunteer the use of their services and equipment for up to 5 consecutive days as part of a mobile support team by providing essential demolition, cleanup, or other related services and determining whether structures affected by a disaster are safe. Provides that such persons are exempt from civil liability under the Good Samaritan Act. Effective immediately.

LRB101 15848 CPF 65205 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Emergency Management Agency Act is
5 amended by changing Section 8 as follows:

6 (20 ILCS 3305/8) (from Ch. 127, par. 1058)

7 Sec. 8. Mobile Support Teams.

8 (a) The Governor or Director may cause to be created Mobile
9 Support Teams to aid and to reinforce the Illinois Emergency
10 Management Agency, and emergency services and disaster
11 agencies in areas stricken by disaster. Each mobile support
12 team shall have a leader, selected by the Director who will be
13 responsible, under the direction and control of the Director,
14 for the organization, administration, and training, and
15 operation of the mobile support team.

16 (a-5) The following persons may volunteer the use of their
17 services and equipment, either manned or unmanned, for up to 5
18 consecutive days as part of a mobile support team as requested
19 and needed by the Illinois Emergency Management Agency:

20 (1) architects licensed under the Illinois
21 Architectural Practice Act of 1989;

22 (2) engineers licensed under the Professional
23 Engineering Practice Act of 1989 or the Structural

1 Engineering Practice Act of 1989;

2 (3) any individuals, including, but not limited to,
3 building officials and building inspectors employed by
4 units of local government, who:

5 (A) are qualified by training and experience;

6 (B) have been certified by the Illinois Emergency
7 Management Agency; and

8 (C) perform their duties under the direction of an
9 architect licensed under the Illinois Architectural
10 Practice Act of 1989 or an engineer licensed under the
11 Professional Engineering Practice Act of 1989 or the
12 Structural Engineering Practice Act of 1989; and

13 (4) construction contractors, equipment dealers, and
14 other owners and operators of construction equipment.

15 In the event of a disaster, persons volunteering under this
16 subsection (a-5) shall, where needed, assist units of local
17 government and local building inspectors by performing either
18 or both of the following:

19 (i) Providing essential demolition, cleanup, or other
20 related services.

21 (ii) Determining whether structures affected by a
22 disaster have not sustained serious damage and may be
23 occupied, must be restricted in their use pending repairs,
24 or are unsafe and shall not be occupied pending repair or
25 demolition.

26 Persons volunteering under this subsection (a-5) are

1 subject to the provisions of Section 72 of the Good Samaritan
2 Act.

3 (b) Personnel of a mobile support team while on duty
4 pursuant to such a call or while engaged in regularly scheduled
5 training or exercises, whether within or without the State,
6 shall either:

7 (1) If they are paid employees of the State, have the
8 powers, duties, rights, privileges and immunities and
9 receive the compensation incidental to their employment.

10 (2) If they are paid employees of a political
11 subdivision or body politic of this State, and whether
12 serving within or without that political subdivision or
13 body politic, have the powers, duties, rights, privileges
14 and immunities, and receive the compensation incidental to
15 their employment.

16 (3) If they are not employees of the State, political
17 subdivision or body politic, or being such employees, are
18 not normally paid for their services, be entitled to at
19 least one dollar per year compensation from the State.

20 Personnel of a mobile support team who suffer disease,
21 injury or death arising out of or in the course of emergency
22 duty, shall for the purposes of benefits under the Workers'
23 Compensation Act or Workers' Occupational Diseases Act only, be
24 deemed to be employees of this State. If the person diseased,
25 injured or killed is an employee described in item (3) above,
26 the computation of benefits payable under either of those Acts

1 shall be based on income commensurate with comparable State
2 employees doing the same type of work or income from the
3 person's regular employment, whichever is greater.

4 All personnel of mobile support teams shall, while on duty
5 under such call, be reimbursed by this State for all actual and
6 necessary travel and subsistence expenses.

7 (c) The State shall reimburse each political subdivision or
8 body politic from the Disaster Response and Recovery Fund for
9 the compensation paid and the actual and necessary travel,
10 subsistence and maintenance expenses of paid employees of the
11 political subdivision or body politic while serving, outside of
12 its geographical boundaries pursuant to such a call, as members
13 of a mobile support team, and for all payments made for death,
14 disease or injury of those paid employees arising out of and
15 incurred in the course of that duty, and for all losses of or
16 damage to supplies and equipment of the political subdivision
17 or body politic resulting from the operations.

18 (d) Whenever mobile support teams or units of another
19 state, while the Governor has the emergency powers provided for
20 under Section 7 of this Act, render aid to this State under the
21 orders of the Governor of its home state and upon the request
22 of the Governor of this State, all questions relating to
23 reimbursement by this State to the other state and its citizens
24 in regard to the assistance so rendered shall be determined by
25 the mutual aid agreements or interstate compacts described in
26 subparagraph (5) of paragraph (c) of Section 6 as are existing

1 at the time of the assistance rendered or are entered into
2 thereafter and under Section 303 (d) of the Federal Civil
3 Defense Act of 1950.

4 (e) No personnel of mobile support teams of this State may
5 be ordered by the Governor to operate in any other state unless
6 a request for the same has been made by the Governor or duly
7 authorized representative of the other state.

8 (Source: P.A. 98-465, eff. 8-16-13.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.