



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB0597

Introduced 1/27/2005, by Rep. Donald L. Moffitt - Michael K. Smith - Aaron Schock

#### SYNOPSIS AS INTRODUCED:

20 ILCS 2905/2.6 new

Amends the State Fire Marshal Act. Authorizes a program so that individuals, corporations, and other entities may donate fire protection equipment to fire departments, fire protection districts, and township fire departments. Provides that the donor is not liable for damages caused by the equipment, except willful and wanton misconduct, if the donor discloses in writing any known damage to or deficiencies in the equipment. Provides that the fire department is not relieved of any liability, unless otherwise provided by law, for any damage or injury caused by the donated equipment.

LRB094 06066 RCE 36127 b

1 AN ACT in relation to fire equipment.

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

4 Section 5. The State Fire Marshal Act is amended by adding  
5 Section 2.6 as follows:

6 (20 ILCS 2905/2.6 new)

7 Sec. 2.6. Equipment donation program. The Office may  
8 create an equipment donation program under which individuals,  
9 corporations, and other entities can donate fire protection  
10 equipment fire departments, fire protection districts, and  
11 township fire departments.

12 An individual, corporation, or other entity that donates  
13 fire protection equipment to a fire department, fire protection  
14 district, or township fire department under this Section is not  
15 liable for any damage or injury caused by the donated fire  
16 protection equipment, except for damage or injury caused by the  
17 donor's willful and wanton misconduct, if the donor discloses  
18 in writing to the recipient at the time of the donation any  
19 known damage to or deficiencies in the equipment.

20 This Section does not relieve any fire department, fire  
21 protection district, or township fire department from  
22 liability, unless otherwise provided by law, for any damage or  
23 injury caused by donated fire protection equipment that was  
24 received through the equipment exchange program.