



Rep. Michael K. Smith

Filed: 4/14/2005

09400HB3687ham003

LRB094 06069 RXD 45177 a

1 AMENDMENT TO HOUSE BILL 3687

2 AMENDMENT NO. _____. Amend House Bill 3687, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 1. Short title. This Act may be cited as the
6 Technical Rescue Team Response Reimbursement Act.

7 Section 5. Intent. The General Assembly finds that the cost
8 to fire departments and fire protection districts for training,
9 equipping, and using technical rescue teams is high and beyond
10 a basic level of service.

11 Section 10. Definitions. In this Act:

12 "Emergency action" means any action taken at or near the
13 scene of an emergency incident to prevent or minimize harm to
14 human health, to property, or to the environment.

15 "Emergency response agency" means a fire department or
16 volunteer fire protection organization that provides
17 firefighting services, emergency rescue services, or emergency
18 medical services.

19 "Person" means an individual, a corporation, a
20 partnership, an unincorporated association, or any unit of
21 federal, State, or local government.

22 "Responsible party" means any person who is responsible for
23 causing the need for technical rescue team services from an

1 emergency response agency.

2 "Technical rescue team" means a career or volunteer mobile
3 support team that has been authorized by a unit of local
4 government to respond to building collapse, high angle rescue,
5 and other specialized rescue emergencies and that is primarily
6 designated for emergency response to technical rescue events.

7 Section 15. Reimbursement to agencies. It shall be the duty
8 of the responsible party to reimburse, within 90 days after the
9 receipt of a bill for the Tactical Rescue emergency incident,
10 the emergency response agencies responding to a Tactical Rescue
11 incident, and any private contractor responding to a Tactical
12 Rescue incident at the request of an emergency response agency,
13 the costs incurred in the course of providing emergency action.
14 All responsible parties shall be jointly and severally liable
15 for the costs incurred in using technical response teams to
16 provide emergency action.

17 Section 20. Violation.

18 (a) Reimbursement directly to an emergency response agency
19 does not constitute an admission of responsibility relative to
20 this Act or to any other State or federal laws, rules, or
21 regulations.

22 (b) If no party to the incident provides reimbursement to
23 the emergency response agency, the Attorney General may, at the
24 request of the State Fire Marshal, institute a civil action to
25 recover costs."