



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB0994

Introduced 1/29/2013, by Rep. Jil Tracy

#### SYNOPSIS AS INTRODUCED:

745 ILCS 10/5-101

from Ch. 85, par. 5-101

Amends the Fire Protection and Rescue Services Article of the Local Governmental and Governmental Employees Tort Immunity Act. Provides that the term "local public entity" includes, but is not limited to, a private person, organization, or corporation, including specialized operations teams for hazardous materials mitigation, underwater rescue and recovery, technical rescue, and incident management, that provides support to a fire department, fire protection district, or rescue squad district during an emergency when activated at the request of the fire chief of a fire department, fire protection district, or rescue squad district pursuant to a formal mutual aid system such as the Mutual Aid Box Alarm System. Effective immediately.

LRB098 07269 HEP 37331 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning civil law.

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

4 Section 5. The Local Governmental and Governmental  
5 Employees Tort Immunity Act is amended by changing Section  
6 5-101 as follows:

7 (745 ILCS 10/5-101) (from Ch. 85, par. 5-101)

8 Sec. 5-101. Neither a local public entity nor a public  
9 employee is liable for failure to establish a fire department  
10 or otherwise to provide fire protection, rescue or other  
11 emergency service.

12 As used in this Article, "rescue services" includes, but is  
13 not limited to, the operation of an ambulance as defined in the  
14 Emergency Medical Services (EMS) Systems Act.

15 As used in this Article, "local public entity" includes,  
16 but is not limited to, a private person, organization, or  
17 corporation, including without limitation specialized  
18 operations teams for hazardous materials mitigation,  
19 underwater rescue and recovery, technical rescue, and incident  
20 management, that provides support or assistance to a fire  
21 department, fire protection district, or rescue squad district  
22 for the period of time during an emergency when activated for  
23 response at the specific request of the fire chief or the

1 chief's designee of a fire department, fire protection  
2 district, or rescue squad district pursuant to a formal mutual  
3 aid system such as the Mutual Aid Box Alarm System, an Illinois  
4 intergovernmental agency.

5 (Source: P.A. 84-1431.)

6 Section 99. Effective date. This Act takes effect upon  
7 becoming law.