

1 AN ACT in realtion to civil liability.

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

4 Section 5. The good Samaritan Act is amended by changing  
5 Sections 2 and 5 as follows:

6 (725 ILCS 49/2)

7 Sec. 2. Legislative purpose. The General Assembly has  
8 established numerous protections for the generous and  
9 compassionate acts of its citizens who volunteer their time  
10 and talents to help others. These protections or good  
11 samaritan provisions have been codified in many Acts of the  
12 Illinois Compiled Statutes. This Act recodifies existing good  
13 samaritan provisions. Further, without limitation the  
14 provisions of this Act shall be liberally construed to  
15 encourage persons to volunteer their time and talents. The  
16 General Assembly acknowledges many hospitals and physicians  
17 provide great benefits to the citizens of Illinois by  
18 operating Trauma centers and providing services to victims of  
19 trauma throughout the state, often with payment for services.  
20 The General Assembly also acknowledges many hospitals and  
21 physicians are discontinuing their status as trauma centers  
22 due to the fear of lawsuits based on claims of medical  
23 negligence. The public and society in general will suffer if  
24 these trauma centers cease operations.

25 (745 ILCS 49/25)

26 Sec.25. Physicians; exemption from civil liability for  
27 emergency care. (a) Any person licensed under the Medical  
28 Practice Act of 1987 or any person licensed to practice the  
29 treatment of human ailments in any other state or territory  
30 of the United States who, in good faith, provides emergency

1 care without fee to a person, shall not, as a result of his  
2 or her acts or omissions, except willful or wanton misconduct  
3 on the part of the person, in providing the care, be liable  
4 for civil damages.

5 (b) Any physician licensed under the Medical Practice Act  
6 of 1987 and any licensed Trauma Center, authorized pursuant  
7 to 210 ILCS 50/3.90, who, in good faith provides emergency  
8 care or services to a person who is a victim of trauma and  
9 has presented to a licensed Trauma Center, shall not, as a  
10 result of his, her, or its acts or omissions, except willful  
11 or wanton misconduct on the part of the physician or trauma  
12 center, in providing the care, be liable for civil damages.