



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**

Introduced 2/6/2004, by Elizabeth Coulson

**SYNOPSIS AS INTRODUCED:**

745 ILCS 49/27 new

Amends the Good Samaritan Act. Provides an exemption from civil liability for emergency care or treatment or supplies given in good faith which are related to or arise out of a public health emergency. Liability for civil damages will be imposed for willful or wanton misconduct on the part of the person in providing the care or treatment or supplies. Defines a "public health emergency". Effective immediately.

LRB093 21157 RXD 47223 b

1 AN ACT concerning 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 adding  
5 Section 27 as follows:

6 (745 ILCS 49/27 new)

7 Sec. 27. Public health emergency; exemption from civil  
8 liability for emergency care.

9 (a) Any person, including a person licensed to practice  
10 medicine or health care facility such as a hospital, which, in  
11 good faith, renders emergency care or treatment or supplies  
12 without fee in response to an emergency situation related to  
13 and arising out of a public health emergency shall not be  
14 liable for civil damages as a result of his, her, or its acts  
15 or omissions, except for willful or wanton misconduct on the  
16 part of the person in providing the care or treatment or  
17 supplies.

18 (b) As used in this Section, "public health emergency"  
19 means an occurrence or imminent threat of an illness or health  
20 condition that is believed to be caused by any of the  
21 following:

22 (i) bioterrorism;

23 (ii) the appearance of a novel or previously  
24 controlled or eradicated infectious agent or  
25 biological toxin;

26 (iii) a natural disaster;

27 (iv) a chemical attack or accidental release;

28 (v) a nuclear attack or accident; or

29 (vi) any situation declared an emergency or  
30 disaster by the Governor of the State of Illinois or  
31 President of the United States.

32 Section 99. Effective date. This Act takes effect upon

1 becoming law.