



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**  
**SB2428**

Introduced 2/3/2004, by Denny Jacobs

**SYNOPSIS AS INTRODUCED:**

50 ILCS 750/2.08  
50 ILCS 750/15.1

from Ch. 134, par. 32.08  
from Ch. 134, par. 45.1

Amends the Emergency Telephone System Act. Provides that the term "sophisticated system" may also include a computerized warning system that utilizes automatic out-going call devices or other telecommunications or information service equipment and services to provide warnings of impending or threatened emergencies. Provides that no telecommunications carrier or supplier of any portion of a basic or sophisticated system shall be liable for any civil damages as a result of any act or omission, except willful or wanton misconduct, in connection with designing, developing, adopting, installing, operating, implementing, or maintaining (now, developing, adopting, operating, or implementing) any plan or system required or permitted (now, required) by the Emergency Telephone System Act. Effective immediately.

LRB093 19856 MKM 45599 b

1 AN ACT concerning local government.

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

4 Section 5. The Emergency Telephone System Act is amended by  
5 changing Sections 2.08 and 15.1 as follows:

6 (50 ILCS 750/2.08) (from Ch. 134, par. 32.08)

7 Sec. 2.08. "Sophisticated system" means a basic system with  
8 the additional capability of automatic identification of the  
9 caller's number, holding the incoming call, reconnection on the  
10 same telephone line, clearing a telephone line, or automatic  
11 call routing or any other capability or features then available  
12 or combinations of such capabilities. A sophisticated system  
13 may also include a computerized warning system that utilizes  
14 automatic out-going call devices or other telecommunications  
15 or information service equipment and services to provide  
16 warnings of impending or threatened emergencies.

17 (Source: P.A. 85-978.)

18 (50 ILCS 750/15.1) (from Ch. 134, par. 45.1)

19 Sec. 15.1. ~~Public body,~~ Exemption from civil liability for  
20 developing, providing, or operating emergency telephone  
21 system. No public agency, public safety agency, emergency  
22 telephone system board, or unit of local government assuming  
23 the duties of an emergency telephone system board, or  
24 telecommunications carrier or supplier of any portion of a  
25 basic or sophisticated system, nor any officer, agent or  
26 employee of any public agency, public safety agency, emergency  
27 telephone system board, or unit of local government assuming  
28 the duties of an emergency telephone system board, or  
29 telecommunications carrier or supplier of any portion of a  
30 basic or sophisticated system, shall be liable for any civil  
31 damages as a result of any act or omission, except willful or

1 wanton misconduct, in connection with designing, developing,  
2 adopting, installing, operating, ~~or~~ implementing, or  
3 maintaining any plan or system required or permitted by this  
4 Act.

5 Exemption from civil liability for emergency instructions  
6 is as provided in the Good Samaritan Act.

7 This Section may not be offered as a defense in any  
8 judicial proceeding brought by the Attorney General under  
9 Section 12 to compel compliance with this Act.

10 (Source: P.A. 89-403, eff. 1-1-96; 89-607, eff. 1-1-97.)

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law.