

1 AN ACT concerning State government.

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

4 Section 5. The State Fire Marshal Act is amended by
5 changing Section 2.5 as follows:

6 (20 ILCS 2905/2.5)

7 Sec. 2.5. Equipment exchange program.

8 (a) The Office shall ~~may~~ create and maintain an equipment
9 exchange program under which fire departments, fire protection
10 districts, and township fire departments can donate or sell
11 equipment to, trade equipment with, or buy equipment from each
12 other.

13 (b) Under this program, the Office shall maintain a website
14 that allows fire departments, fire protection districts, and
15 township fire departments to post information and photographs
16 about needed equipment and equipment that is available for
17 trade, donation, or sale. This website must be separate from,
18 and not a part of, the Office's main website; however, the
19 Office must post a hyperlink on its main website that points to
20 the website established under this subsection (b).

21 (c) The Office or a ~~A~~ fire department, fire protection
22 district, or township fire department that donates, ~~trades, or~~
23 sells fire protection equipment to another fire department,
24 fire protection district, or township fire department under
25 this Section is not liable for any damage or injury caused by
26 the donated, traded, or sold fire protection equipment, except
27 for damage or injury caused by its ~~the donor's~~ willful and
28 wanton misconduct, if it ~~the donor~~ discloses in writing to the
29 recipient at the time of the donation, trade, or sale any known
30 damage to or deficiencies in the equipment.

31 This Section does not relieve any fire department, fire
32 protection district, or township fire department from

1 liability, unless otherwise provided by law, for any damage or
2 injury caused by donated, traded, or sold fire protection
3 equipment that was received through the equipment exchange
4 program.

5 (d) The Office must promote the program to encourage the
6 efficient exchange of equipment among local government
7 entities.

8 (e) The Office must implement the changes to the equipment
9 exchange program required under this amendatory Act of the 94th
10 General Assembly no later than July 1, 2006.

11 (Source: P.A. 93-305, eff. 7-23-03.)

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