



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB1372

Introduced 2/8/2011, by Sen. David Luechtefeld

SYNOPSIS AS INTRODUCED:

New Act

Creates the Good Samaritan Medical Equipment Donor Act. Provides that no donor of medical equipment or medical supplies donated to a veterinarian school or licensed veterinarian shall be liable in any civil action based on the theory of warranty, negligence, or strict liability in tort for damages resulting from the use of the medical equipment or medical supplies due to the nature, age, condition, or packaging of the medical equipment or medical supplies. Provides that immunity provided under this Act shall not apply where it is shown that the donation was a willful, wanton, or reckless act of the donor.

LRB097 06776 AJO 46867 b

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 1. Short title. This Act may be cited as the Good
5 Samaritan Medical Equipment Donor Act.

6 Section 5. Donor's immunity from liability.

7 (a) Except as provided in subsection (b), no person who in
8 good faith donates medical equipment or medical supplies to a
9 veterinarian school or licensed veterinarian for use by the
10 veterinarian school for school use or by the licensed
11 veterinarian in that person's veterinary practice shall be
12 liable in any civil action based on the theory of warranty,
13 negligence, or strict liability in tort for damages incurred
14 resulting from the use of the medical equipment or medical
15 supplies due to the nature, age, condition, or packaging of the
16 medical equipment or medical supplies.

17 (b) The immunity provided in subsection (a) shall not apply
18 where it is shown that the donation of the medical equipment or
19 medical supplies was a willful, wanton, or reckless act of the
20 donor.