

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 Department of Natural Resources  
5 (Conservation) Law of the Civil Administrative Code of Illinois  
6 is amended by changing Section 805-40 as follows:

7 (20 ILCS 805/805-40) (was 20 ILCS 805/63a41)

8 Sec. 805-40. Adopt-A-Park program. The Department shall  
9 ~~may~~ establish and maintain Adopt-A-Park programs with  
10 individual or group volunteers, if requested by an individual  
11 or group volunteers, in an effort to reduce and remove litter  
12 from parks and park lands and to provide other services. The  
13 Department shall retain the ability to approve or deny an  
14 individual or group volunteer's request; however, the  
15 Department must state the reason for the request denial. These  
16 programs shall include but not be limited to the following:

17 (1) Providing and coordinating services by volunteers  
18 to reduce the amount of litter, including providing trash  
19 bags and trash bag pickup and, in designated areas where  
20 volunteers may be in close proximity to moving vehicles.  
21 Individuals or volunteers must bring their own, ~~providing~~  
22 ~~safety briefings and~~ reflective safety gear.

23 (2) The Department shall provide a certificate of

1 appreciation to individual or group volunteers as  
2 recognition of their Adopt-A-Park efforts at a particular  
3 Department site. ~~Providing and installing signs~~  
4 ~~identifying those volunteers adopting particular parks and~~  
5 ~~park lands.~~

6 (3) Volunteer services shall not include work  
7 historically performed by Department employees, including  
8 services that result in a reduction of hours or  
9 compensation or that may be performed by an employee on  
10 layoff; nor shall volunteer services be inconsistent with  
11 the terms of a collective bargaining agreement.

12 The State and the Department, its directors, employees, and  
13 agents shall not be liable for any damages or injury suffered  
14 by any person resulting from his or her participation in the  
15 program or from the actions or activities of the volunteers,  
16 except in cases of willful and wanton misconduct. Any group and  
17 its individual members who wish to volunteer or any individual  
18 who wishes to volunteer is required to execute a general  
19 release and hold harmless agreement before beginning any  
20 volunteer activity or work. An officer, director, or other  
21 representative of any group shall also be required to execute a  
22 general release and hold harmless on behalf of a group. The  
23 agreement shall be prepared and provided by the Department.

24 By engaging in volunteer activities under this Act,  
25 volunteers fully acknowledge and understand that there shall be  
26 neither any (1) promise or expectation of compensation of any

1 type, including benefits, nor (2) creation of an  
2 employer-employee relationship. The Prevailing Wage Act and  
3 the administrative rules adopted thereunder, 56 Ill. Adm. Code  
4 100, shall not apply to any Department project or job in which  
5 volunteers are utilized under the Adopt-A-Park program.

6 (Source: P.A. 90-14, eff. 7-1-97; 91-239, eff. 1-1-00.)

7 Section 99. Effective date. This Act takes effect upon  
8 becoming law.