



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB3198

Introduced 2/1/2012, by Sen. Pamela J. Althoff

SYNOPSIS AS INTRODUCED:

745 ILCS 10/5-101

from Ch. 85, par. 5-101

Amends the Fire Protection and Rescue Services Article of the Local Governmental and Governmental Employees Tort Immunity Act. Provides that the term "local public entity" includes, but is not limited to, a private person, organization, or corporation, including specialized operations teams for hazardous materials mitigation, underwater rescue and recovery, technical rescue, and incident management, that provides support to a fire department, fire protection district, or rescue squad district during an emergency when activated at the request of the fire chief of a fire department, fire protection district, or rescue squad district pursuant to a formal mutual aid system such as the Mutual Aid Box Alarm System. Effective immediately.

LRB097 18668 AJO 63902 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 5. The Local Governmental and Governmental
5 Employees Tort Immunity Act is amended by changing Section
6 5-101 as follows:

7 (745 ILCS 10/5-101) (from Ch. 85, par. 5-101)

8 Sec. 5-101. Neither a local public entity nor a public
9 employee is liable for failure to establish a fire department
10 or otherwise to provide fire protection, rescue or other
11 emergency service.

12 As used in this Article, "rescue services" includes, but is
13 not limited to, the operation of an ambulance as defined in the
14 Emergency Medical Services (EMS) Systems Act.

15 As used in this Article, "local public entity" includes,
16 but is not limited to, a private person, organization, or
17 corporation, including without limitation specialized
18 operations teams for hazardous materials mitigation,
19 underwater rescue and recovery, technical rescue, and incident
20 management, that provides support or assistance to a fire
21 department, fire protection district, or rescue squad district
22 for the period of time during an emergency when activated for
23 response at the specific request of the fire chief or the

1 chief's designee of a fire department, fire protection
2 district, or rescue squad district pursuant to a formal mutual
3 aid system such as the Mutual Aid Box Alarm System, an Illinois
4 intergovernmental agency.

5 (Source: P.A. 84-1431.)

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