

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 1. Short title. This Act may be cited as the
5 Interstate Mutual Emergency Aid Act.

6 Section 5. Definitions. As used in this Act:

7 (a) "Emergency responder" includes emergency medical
8 services personnel and firefighters, including firefighters
9 trained in the areas of hazardous materials, specialized
10 rescue, extrication, water rescue, and other specialized
11 areas.

12 (b) "Mutual aid emergency" or "emergency" means an
13 occurrence or condition resulting in a situation that poses an
14 immediate risk to health, life, property, or the environment,
15 where the governmental entity having jurisdiction over the
16 situation determines (i) that the situation exceeds its ability
17 to render appropriate aid and (ii) that it is in the public's
18 best interest to request mutual aid from an out-of-state entity
19 with whom the governmental entity has a written mutual aid
20 agreement. "Mutual aid emergency" or "emergency" does not
21 include a situation that initially rises to the level of
22 disaster or emergency requiring a state or local declaration of
23 a state of emergency, unless that declaration occurs after the

1 initial request for mutual aid has been made.

2 (c) "Training exercises" means necessary advance actions
3 taken by emergency responders pursuant to a mutual aid
4 agreement in order to prepare to more adequately address a
5 potential mutual aid emergency.

6 Section 10. Mutual aid agreements. In order to more
7 adequately address emergencies that extend or exceed a
8 jurisdiction's emergency response capabilities, either without
9 rising to the level of a state or local declaration of a state
10 of emergency, or in the initial stages of an event which may
11 later become a declared emergency, a political subdivision of
12 this State, including a county, city, village, township, or
13 other unit of local government, or any combination thereof, may
14 enter into a mutual aid agreement with one or more units of
15 government from another state. The mutual aid agreement may
16 provide for coordination of communications, staging, training,
17 and response to planned and unplanned events which a local
18 jurisdiction has determined exceed, or are likely to exceed,
19 its emergency response capabilities. When engaged in training,
20 staging, and emergency response in accordance with the mutual
21 aid agreements, emergency responders from outside of this State
22 are permitted to provide services within this State in
23 accordance with this Act and the terms of the mutual aid
24 agreement.

1 Section 15. Licenses, certifications, and permits. An
2 emergency responder from outside this State who holds a
3 license, certificate, or other permit recognized or issued by
4 another state shall be deemed licensed, certified, and
5 permitted to render mutual aid during a mutual aid emergency
6 within this State pursuant to a mutual aid agreement authorized
7 by this Act, if the emergency responder is (i) acting within
8 the scope of his or her license, certificate, or permit and
9 within the scope of what an equivalent license, certificate, or
10 permit from or recognized by this State would authorize and
11 (ii) acting pursuant to a request for mutual aid made pursuant
12 to a mutual aid agreement authorized by this Act.

13 Section 20. Governmental functions; liability; emergency
14 responders. Any function performed by an emergency responder
15 that is (i) acting within the scope of his or her license,
16 certificate, or permit and within the scope of what an
17 equivalent license, certificate, or permit recognized by this
18 State would authorize and (ii) pursuant to a mutual aid
19 agreement authorized by this Act shall be deemed to have been
20 for public and governmental purposes, and all liabilities and
21 immunities from liability applicable to this State's political
22 subdivisions and their officers and employees shall extend to
23 the emergency responders from another state while providing
24 mutual aid during a mutual aid emergency or while engaged in
25 training exercises pursuant to a written mutual aid agreement

1 authorized by this Act. This Section shall not provide greater
2 immunities to emergency responders from outside of this State
3 than those immunities provided to emergency responders with the
4 equivalent license, certificate, or permit in this State. This
5 Section shall only apply to causes of action accruing on or
6 after the effective date of this Act.

7 Section 25. Employee benefits. Emergency responders from
8 outside this State, while rendering mutual aid within this
9 State pursuant to a mutual aid agreement authorized by this
10 Act, remain employees and agents of their respective employers
11 and jurisdictions. Nothing in this Act, or any mutual aid
12 agreement entered into pursuant to this Act, creates an
13 employment relationship between the jurisdiction requesting
14 aid and the employees and agents of the jurisdiction rendering
15 aid. All pension, relief, disability, death benefits, workers'
16 compensation, and other benefits enjoyed by emergency
17 responders rendering emergency mutual aid shall extend to the
18 services they perform outside their respective jurisdictions
19 as if those services had been rendered in their own
20 jurisdiction.

21 Section 30. Limitations. This Act does not limit, modify,
22 or abridge the emergency management compact entered into under
23 the Emergency Management Assistance Compact Act.

24 Section 99. Effective date. This Act takes effect upon

1 becoming law.