

AN ACT concerning civil law.

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

Section 1. Short title. This Act may be cited as the Park District and Public Utility Liability Act.

Section 5. Definitions. As used in this Act:

"Lessee" means any park district engaged in a contractual lease for property use.

"Lessor" means any public utility leasing property ownership, control, or access.

"Park district" means a park district as defined in the Park District Code, a forest preserve district, a conservation district, or another local public entity that has recreation departments or facilities and has a lease with a lessor.

"Public utility" has the same meaning as used in the Public Utilities Act.

Section 10. Liability.

(a) Provisions in, or in connection with, a land lease agreement between a public utility and a park district that require a lessee to indemnify or hold harmless the lessor, or the lessor's independent contractors, agents, employees, or indemnitees, including, but not limited to, waivers of

subrogation, against liability for damages arising out of bodily injury to persons or damage to property proximately caused by or resulting from negligence, in whole or in part, of the lessor, or its independent contractors, agents, employees, or indemnitees, are against public policy, void, and unenforceable.

(b) Nothing in this Act shall prevent or prohibit a contract, promise, or agreement for a lessor to indemnify or hold harmless any lessee against liability for damages resulting from the sole negligence of the lessor, its agents, or its employees.

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