

Interstate Mutual Emergency Aid

Purpose

To allow interstate aid for certain emergency purposes and to recognize certain credentials of emergency responders, which includes, but not limited to, EMTs, physicians, nurses, mental health professionals, public workers personnel, veterinarians, public health practitioners, firefighters, rescue workers, or emergency management personnel.

This compact does not limit or modify the Emergency Management Assistance Compact.

Summary

Liability

An individual who provides aid pursuant to this compact will be considered a member of the requesting state and is entitled to the same legal protections as an employee of the requesting state.

License Reciprocity

An emergency responder who holds a license, certificate, or permit in good standing from any other state will be considered licensed, certified, or permitted in a state that is a party of this compact.

Workers' Benefits

An individual who provides aid pursuant to this compact and is injured or killed will be entitled to the same workers' compensation as if they were in their home state from their home state.

5 ILCS 235/1)

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

(Source: P.A. 98-309, eff. 8-12-13.)

(5 ILCS 235/5)

Sec. 5. Definitions. As used in this Act:

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

(b) "Mutual aid emergency" or "emergency" means an occurrence or condition resulting in a situation that poses an immediate risk to health, life, property, or the environment, where the governmental entity having jurisdiction over the situation determines (i) that the situation exceeds its ability to render appropriate aid and (ii) that it is in the public's best interest to request mutual aid from an out-of-state entity with whom the

governmental entity has a written mutual aid agreement. "Mutual aid emergency" or "emergency" does not include a situation that initially rises to the level of disaster or emergency requiring a state or local declaration of a state of emergency, unless that declaration occurs after the initial request for mutual aid has been made.

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

(Source: P.A. 98-309, eff. 8-12-13.)

(5 ILCS 235/10)

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

(Source: P.A. 98-309, eff. 8-12-13.)

(5 ILCS 235/15)

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

(Source: P.A. 98-309, eff. 8-12-13.)

(5 ILCS 235/20)

Sec. 20. Governmental functions; liability; emergency responders. Any function performed by an emergency responder that is (i) acting within the scope of his or her license, certificate, or permit and within the scope of what an equivalent license, certificate, or permit recognized by this State would authorize and (ii) pursuant to a mutual aid agreement authorized by this Act shall be deemed to have been for public and governmental purposes, and all liabilities and immunities from liability applicable to this State's political subdivisions and their officers and employees shall extend to the emergency responders from another state while providing mutual aid during a mutual aid emergency or while engaged in training exercises pursuant to a written mutual aid agreement authorized by this Act. This Section shall not provide greater immunities to emergency responders from outside of this State than those immunities provided to emergency responders with the equivalent license, certificate, or permit in this State. This Section shall only apply to causes of action accruing on or after the effective date of this Act.

(Source: P.A. 98-309, eff. 8-12-13.)

(5 ILCS 235/25)

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

(Source: P.A. 98-309, eff. 8-12-13.)

(5 ILCS 235/30)

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

(Source: P.A. 98-309, eff. 8-12-13.)

(5 ILCS 235/99)

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

(Source: P.A. 98-309, eff. 8-12-13.)