

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 1720**  
**99TH GENERAL ASSEMBLY**

5378H.02C

D. ADAM CRUMBLISS, Chief Clerk

---

---

**AN ACT**

To repeal section 320.091, RSMo, and to enact in lieu thereof one new section relating to donated fire equipment.

---

---

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 320.091, is repealed and one new section enacted in lieu thereof, to  
2 be known as section 320.091, to read as follows:

320.091. There shall be no cause of action against any fire protection district, volunteer  
2 fire protection association, ~~[or any]~~ fire department of any political subdivision, **company, or**  
3 **organization** which donates equipment used to suppress fire or fire protection clothing to  
4 another department, association, ~~[or]~~ district, ~~[if the following conditions are met:~~

5 ~~—— (1) Such equipment is approved by the state fire marshal or the state fire marshal's~~  
6 ~~designee;~~

7 ~~—— (2) Motor vehicles so donated must pass a safety inspection by the Missouri state~~  
8 ~~highway patrol;~~

9 ~~—— (3) The receiving agency demonstrates to the state fire marshal's office that the~~  
10 ~~equipment received works properly; and~~

11 ~~—— (4)~~ **or fire training academy, so long as** the donor ~~[agency]~~ informs the ~~[receiving~~  
12 ~~agency]~~ **recipient** in writing of any defects in the equipment **or clothing** about which ~~[#]~~ **the**  
13 **donor** knows. This immunity shall apply only to causes of action directly related to the  
14 equipment mentioned in this section.

✓

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.