

FIRST REGULAR SESSION

# HOUSE BILL NO. 369

## 100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KOLKMEYER.

1007H.011

DANA RADEMAN MILLER, 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Section A. Section 320.091, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 320.091, to read as follows: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 fire protection association, ~~or any~~ fire department of any political subdivision, **company, or organization** which donates equipment used to suppress fire or fire protection clothing to another department, association, ~~or~~ district, **or fire training academy** if ~~the following conditions are met:~~

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

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

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

~~———— (4) the donor [agency] informs the [receiving agency] **recipient** in writing of any defects in the equipment **or clothing** about which it knows.~~

This immunity shall apply only to causes of action directly related to the equipment **or clothing** mentioned in this section.

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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.