

FIRST REGULAR SESSION

# HOUSE BILL NO. 481

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE LUETKENHAUS.

Read 1<sup>st</sup> time January 23, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

1376L.011

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### AN ACT

To repeal section 320.091, RSMo 2000, relating to fire protection, and to enact in lieu thereof one new section relating to the same subject.

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

Section A. Section 320.091, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 320.091, to read as follows: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 which donates [used personal protection] equipment [and] **used to suppress fire or** fire protection clothing to another department, association, or district if **the following conditions are met:**

- (1) Such equipment is approved by the state fire marshal or [his] **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 of any defects in the equipment about which it knows.** This immunity shall apply only to causes of action directly related to the equipment mentioned [herein] **in this section.**

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.