



Sen. Martin A. Sandoval

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10000HB5197sam001

LRB100 19037 AWJ 40317 a

1 AMENDMENT TO HOUSE BILL 5197

2 AMENDMENT NO. _____. Amend House Bill 5197 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Municipal Code is amended by
5 changing Section 11-10-2 as follows:

6 (65 ILCS 5/11-10-2) (from Ch. 24, par. 11-10-2)

7 Sec. 11-10-2. Foreign fire insurance boards.

8 (a) A department foreign fire insurance board shall be
9 created within the fire department of each municipality with
10 fewer than 500,000 inhabitants that has an organized fire
11 department. The board shall consist of 7 trustees; the fire
12 chief, who shall hold office by virtue of rank, and 6 members,
13 who shall be elected at large by the sworn members of the
14 department. If there is an insufficient number of candidates to
15 fill all these positions, the number of board members may be
16 reduced, but not to fewer than 3 trustees. All members of the

1 department shall be eligible to be elected as officers of the
2 department foreign fire insurance board. The members of this
3 board shall annually elect officers. These officers shall be a
4 chairman and a treasurer. The trustees of the department
5 foreign fire insurance board shall make all needful rules and
6 regulations with respect to the department foreign fire
7 insurance board and the management of the money to be
8 appropriated to the board. The officers of the department
9 foreign fire insurance board shall develop and maintain a
10 listing of those items that the board feels are appropriate
11 expenditures under this Act. The treasurer of the department
12 foreign fire insurance board shall give a sufficient bond to
13 the municipality in which the fire department is organized.
14 This bond shall be approved by the mayor or president, as the
15 case may be, conditioned upon the faithful performance by the
16 treasurer of his or her duties under the ordinance and the
17 rules and regulations provided for in this section. The
18 treasurer of the department foreign fire insurance board shall
19 receive the appropriated money and shall pay out the money upon
20 the order of the department foreign fire insurance board for
21 the maintenance, use, and benefit of the department. As part of
22 the annual municipal audit, these funds shall be audited to
23 verify that the funds have been expended by that board only for
24 the maintenance, use, and benefit of the department.

25 (b) A department foreign fire insurance board is created on
26 January 1, 2019 within the fire department of each municipality

1 with 500,000 or more inhabitants. The board shall consist of 7
2 trustees: the fire commissioner, who shall hold office by
3 virtue of rank (or his or her designee), and 6 elected
4 trustees, who shall be elected at large by the sworn members of
5 the fire department. If there is an insufficient number of
6 candidates to fill all trustee positions, the number of board
7 members may be reduced, but not to fewer than 5 trustees. All
8 active members of the department are eligible to be elected as
9 trustees of the department foreign fire insurance board. As
10 used in this subsection, "active member" means a member of the
11 municipality's fire department who is not receiving a
12 disability pension from the municipality's pension fund and who
13 is not retired from the municipality's fire department. Of the
14 trustees first elected, 3 trustees shall have a term of 2 years
15 and 3 trustees shall have a term of 3 years, as determined by
16 lot at the board's first meeting. After the initial election, a
17 trustee shall be elected for a term of 3 years. If a member of
18 the board resigns, is removed, or is unable to continue serving
19 on the board by operation of law, the remaining portion of the
20 term shall be filled by appointment of a majority of the other
21 members of the board for that unfilled term only.

22 The members of the board shall annually elect officers,
23 including a chairman, treasurer, and secretary. The trustees of
24 the board shall make all necessary rules and regulations with
25 respect to the board and the management of the money
26 appropriated to the board. The officers of the board shall

1 develop and maintain a listing of those items that the board
2 feels are appropriate expenditures under this subsection. The
3 treasurer of the board shall give a sufficient bond to the
4 municipality, and the cost of the bond shall be paid for out of
5 the moneys in the board's fund. This bond shall be conditioned
6 upon the faithful performance by the treasurer of his or her
7 duties under any ordinance and the rules and regulations
8 provided for in this subsection. The treasurer of the board
9 shall receive the appropriated money and shall pay out the
10 money upon the order of the board for the maintenance, use, and
11 benefit of the department. As part of the annual municipal
12 audit, these funds shall be audited to verify that the funds
13 have been expended by that board only for the maintenance, use,
14 and benefit of the department.

15 Within 30 days after receipt of any foreign fire insurance
16 proceeds by the municipality, the municipality shall turn over
17 the proceeds to the department foreign fire insurance board by
18 depositing the proceeds into an account determined by the
19 board. 50% of the foreign fire insurance proceeds shall be used
20 for the maintenance, use, benefit, or enhancement of fire
21 stations or training facilities used by the sworn members of
22 the fire department. 25% of the foreign fire insurance proceeds
23 shall be used for the maintenance, use, benefit, or enhancement
24 of emergency response vehicles, tools, and equipment used by
25 the sworn members of the fire department. 25% of the foreign
26 fire insurance proceeds shall be used for the maintenance of

1 the fire department and for the use and benefit of the sworn
2 members of the fire department in a manner otherwise consistent
3 with this Section.

4 (c) The provisions of this Section shall be the exclusive
5 power of the State, pursuant to subsection (h) of Section 6 of
6 Article VII of the Constitution.

7 (Source: P.A. 95-807, eff. 8-12-08; 96-505, eff. 8-14-09.)

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