



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4854

by Rep. Mike Bost

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-10-2 from Ch. 24, par. 11-10-2
70 ILCS 705/11h new
30 ILCS 805/8.32 new

Amends the Illinois Municipal Code. Provides that a fire department foreign fire insurance board in a municipality with fewer than 500,000 (now, 250,000) inhabitants shall have 7 trustees, including the fire chief and 6 members of the fire department (now, the Board is established by ordinances of the corporate authorities). Provides for an annual election of board officers. Provides that the annual municipal audit shall include funds appropriated to the board and shall determine whether the funds have been expended by the board only for the maintenance, use, and benefit of the department. Amends the Fire Protection District Act. Provides that in each fire protection district that has an organized fire department there shall be a foreign fire insurance board. Provides that the board shall have 7 trustees, including the fire chief and 6 members of the fire department. Provides that officers shall be elected annually. Authorizes the board to make rules. Provides that the treasurer must give a bond to the board. Provides that the board shall develop and maintain a list of items that are appropriate expenditures. Provides that the annual fire protection district audit shall include funds appropriated to the board and shall determine whether the funds have been expended by the board only for the maintenance, use, and benefit of the department. Makes other changes. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB095 18339 HLH 44423 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

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. A department foreign fire insurance board
8 shall be created within the fire department of each
9 municipality with fewer ~~The corporate authorities of any~~
10 ~~municipality containing less~~ than 500,000 ~~250,000~~ inhabitants
11 that ~~which~~ has an organized fire department. The board shall
12 consist of 7 trustees; the fire chief, who shall hold office by
13 virtue of rank, and 6 members, who shall be elected at large by
14 the sworn members of the department. If there is an
15 insufficient number of candidates to fill all these positions,
16 the number of board members may be reduced, but not to fewer
17 than 3 trustees ~~shall pass an ordinance providing for the~~
18 ~~election of officers of the department foreign fire insurance~~
19 ~~board by the members of the department.~~ All members of the
20 department shall be eligible to be elected as officers of the
21 department foreign fire insurance board. The members of this
22 board shall annually elect officers. These officers shall be a
23 chairman and ~~include~~ a treasurer. The trustees of the

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

1 The provisions of this Section shall be the exclusive power
2 of the State, pursuant to subsection (h) of Section 6 of
3 Article VII of the Constitution.

4 (Source: P.A. 89-63, eff. 6-30-95.)

5 Section 10. The Fire Protection District Act is amended by
6 adding Section 11h as follows:

7 (70 ILCS 705/11h new)

8 Sec. 11h. Department foreign fire insurance board.

9 (a) A department foreign fire insurance board shall exist
10 within the fire department of each fire protection district
11 that has an organized fire department.

12 (b) The board shall consist of 7 trustees; the fire chief,
13 who shall hold office by virtue of rank, and 6 members, who
14 shall be elected at large by the sworn members of the
15 department. If there are an insufficient number of candidates
16 to fill all these positions, the number of board members may be
17 reduced, but not to fewer than 3 trustees. All sworn members of
18 the department shall be eligible to vote for and be elected as
19 officers of the board.

20 (c) The members of the board shall annually elect officers.
21 These officers shall be a chairman and a treasurer.

22 (d) The trustees of the board shall make rules with respect
23 to the board and the management of the money to be appropriated
24 to the board.

1 (e) The treasurer of the board shall give a sufficient bond
2 to the board of trustees of the fire protection district,
3 conditioned upon the faithful performance by the treasurer of
4 his or her duties under this Section. This bond must be
5 approved by the board of trustees of the fire protection
6 district.

7 (f) The officers of the department foreign fire insurance
8 board shall develop and maintain a listing of those items that
9 the board feels are appropriate expenditures under this
10 Section. The officers shall make rules concerning the board and
11 the management of the money appropriated to the board.

12 (g) All of the money paid to the secretary of the fire
13 protection district under Section 11-10-1 of the Illinois
14 Municipal Code (65 ILCS 5/11-10-1) shall be set apart and shall
15 be appropriated annually by the board of trustees of the fire
16 protection district to the department foreign fire insurance
17 board.

18 (h) The treasurer of the department foreign fire insurance
19 board shall receive the appropriated money and shall pay out
20 the money upon the order of the board for the maintenance, use,
21 and benefit of the department. As part of the fire protection
22 district's annual audit, these funds shall be audited to verify
23 that the funds have been properly appropriated to and held by
24 the board and have been expended by the board only for the
25 maintenance, use, and benefit of the department.

1 Section 90. The State Mandates Act is amended by adding
2 Section 8.32 as follows:

3 (30 ILCS 805/8.32 new)

4 Sec. 8.32. Exempt mandate. Notwithstanding Sections 6 and 8
5 of this Act, no reimbursement by the State is required for the
6 implementation of any mandate created by this amendatory Act of
7 the 95th General Assembly.

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