



Fire Protection

Filed: 5/17/2007

09500SB1244ham001

LRB095 04959 HLH 36037 a

1 AMENDMENT TO SENATE BILL 1244

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1244 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Township Code is amended by adding Section  
5 14a as follows:

6 (60 ILCS 1/14a new)

7 Sec. 14a. Reimbursement for specialized rescue services. A  
8 township that provides fire protection services may fix,  
9 charge, and collect reasonable fees for specialized rescue  
10 services provided by the township. The total amount collected  
11 may not exceed the reasonable cost of providing those  
12 specialized rescue services and may not, in any event, exceed  
13 \$125 per hour per vehicle and \$35 per hour per firefighter. The  
14 fee may be charged to any of the following parties, but only  
15 after there has been a finding of fault against that party by  
16 the Occupational Safety and Health Administration or the

1 Illinois Department of Labor:

2 (a) the owner of the property on which the specialized  
3 rescue services occurred;

4 (b) any person involved in an activity that caused or  
5 contributed to the emergency;

6 (c) an individual who is rescued during the emergency  
7 and his or her employer if the person was acting in  
8 furtherance of the employer's interests;

9 (d) in cases involving the recovery of property, any  
10 person having control or custody of the property at the  
11 time of the emergency.

12 For the purposes of this Section, the term "specialized  
13 rescue services" includes, but is not limited to, structural  
14 collapse, tactical rescue, high angle rescue, underwater  
15 rescue and recovery, confined space rescue, below grade rescue,  
16 and trench rescue.

17 Section 10. The Illinois Municipal Code is amended by  
18 adding Section 11-6-5 as follows:

19 (65 ILCS 5/11-6-5 new)

20 Sec. 11-6-5. Reimbursement for specialized rescue  
21 services. The corporate authorities of a municipality that  
22 operates a fire department may fix, charge, and collect  
23 reasonable fees for specialized rescue services provided by the  
24 department. The total amount collected may not exceed the

1 reasonable cost of providing those specialized rescue services  
2 and may not, in any event, exceed \$125 per hour per vehicle and  
3 \$35 per hour per firefighter. The fee may be charged to any of  
4 the following parties, but only after there has been a finding  
5 of fault against that party by the Occupational Safety and  
6 Health Administration or the Illinois Department of Labor:

7 (a) the owner of the property on which the specialized  
8 rescue services occurred;

9 (b) any person involved in an activity that caused or  
10 contributed to the emergency;

11 (c) an individual who is rescued during the emergency  
12 and his or her employer if the person was acting in  
13 furtherance of the employer's interests;

14 (d) in cases involving the recovery of property, any  
15 person having control or custody of the property at the  
16 time of the emergency.

17 For the purposes of this Section, the term "specialized  
18 rescue services" includes, but is not limited to, structural  
19 collapse, tactical rescue, high angle rescue, underwater  
20 rescue and recovery, confined space rescue, below grade rescue,  
21 and trench rescue.

22 Section 15. The Fire Protection District Act is amended by  
23 changing Section 22 and by adding Section 25 as follows:

24 (70 ILCS 705/22) (from Ch. 127 1/2, par. 38.5)

1           Sec. 22. The Board of Trustees of any fire protection  
2 district incorporated under this Act is authorized under the  
3 terms and conditions hereinafter set out, to provide emergency  
4 ambulance service to or from points within or without the  
5 district; to contract with providers of ambulance service; to  
6 combine with other units of governments for the purpose of  
7 providing ambulance service; to levy a tax for the provision of  
8 such service and to adopt rules and regulations relating to  
9 ambulance service within their jurisdiction.

10           (a) It is declared as a matter of public policy:

11                 (1) That, in order to preserve, protect and promote the  
12 public health, safety and general welfare, adequate and  
13 continuing emergency ambulance service should be available  
14 to every citizen of Illinois;

15                 (2) That, insofar as it is economically feasible,  
16 emergency ambulance service should be provided by private  
17 enterprise; and

18                 (3) That, in the event adequate and continuing  
19 emergency ambulance services do not exist, fire protection  
20 districts should be authorized to provide, and shall cause  
21 to be provided, ambulance service as a public  
22 responsibility.

23           (b) Whenever the Board of Trustees of a fire protection  
24 district desires to levy a special tax to provide an ambulance  
25 service, it shall certify the question to the proper election  
26 officials, who shall submit that question at an election to the

1 voters of the district. The result of such referendum shall be  
 2 entered upon the records of the district. If a majority of the  
 3 votes on the proposition are in favor of such proposition, the  
 4 Board of Trustees may thereafter levy a special tax at a rate  
 5 not to exceed .30% of the value of all taxable property within  
 6 the district as equalized or assessed by the Department of  
 7 Revenue. The proposition shall be in substantially the  
 8 following form:

9 -----

10 Shall the .... Fire Protection  
 11 District levy a special tax at a rate YES  
 12 not to exceed .30% of the value of all  
 13 taxable property within the district as -----  
 14 equalized or assessed by the Department  
 15 of Revenue for the purpose of providing NO  
 16 an ambulance service?

17 -----

18 (c) If it appears that a majority of all valid votes cast  
 19 on the proposition are in favor of levying a special tax to pay  
 20 for an ambulance, the Board of Trustees may levy and collect an  
 21 annual tax for the purpose of providing ambulance service under  
 22 this Act to be extended at a rate not to exceed .30% of the full  
 23 fair cash value of the taxable property within the governmental  
 24 unit as assessed or equalized by the Department of Revenue.  
 25 Such annual tax shall be in addition to the other taxes a fire  
 26 protection district may levy for its corporate purposes.

1 (d) Any Board of trustees may:

2 1. Provide or operate an emergency ambulance service;

3 2. Contract with a private person, hospital,  
4 corporation or another governmental unit for the provision  
5 and operation of emergency ambulance service or subsidize  
6 the service thereof;

7 3. Limit the number of ambulance services;

8 4. Within its jurisdiction, fix, charge and collect  
9 fees for emergency ambulance service within or outside of  
10 the fire protection district not exceeding the reasonable  
11 cost of the service;

12 5. Establish necessary regulations not inconsistent  
13 with the statutes or regulations of the Department of  
14 Public Health relating to ambulance service;

15 6. The trustees shall have the power identified in  
16 paragraphs 3 and 5 only if the district shall have passed  
17 the referendum provided for herein.

18 (e) When any Board of Trustees is authorized prior to  
19 January 1, 1978 to levy and collect an annual tax, for the  
20 purpose of providing ambulance service, at any rate not  
21 exceeding .25% of the full fair cash value of the taxable  
22 property within the governmental unit as equalized or assessed  
23 by the Department of Revenue, such Board of Trustees may by  
24 resolution increase its authority to tax for ambulance purposes  
25 to a rate not to exceed .30%. Such resolution shall be  
26 effective 30 days after its adoption. Notice of such resolution

1 shall be published twice in a newspaper having a general  
2 circulation within the district at least 20 days and again at  
3 least 10 days prior to the effective date of the resolution.  
4 Such notice shall state that the voters of that fire protection  
5 district, which district shall be described in the notice, have  
6 until 30 days after the adoption of the resolution to file a  
7 petition with the Board of Trustees praying that the question  
8 of the adoption of the resolution be submitted to a vote of the  
9 electors of such territory, and that, if no such petition is  
10 filed, the resolution shall become effective 30 days after its  
11 adoption. The notice also shall state the specific number of  
12 voters required to sign the petition and the date of the  
13 prospective referendum. The district secretary shall provide a  
14 petition form to any individual requesting one. If such a  
15 petition, signed by the voters of the district equal to 10% or  
16 more of the registered voters of the district, is so filed with  
17 the Board of Trustees, then the question of the adoption of the  
18 resolution shall be certified to the proper election officials,  
19 who shall submit the question to a vote of the electors of the  
20 district at an election in accordance with the general election  
21 law. If such a petition is filed, the resolution does not take  
22 effect unless a majority of the votes cast upon the question of  
23 the adoption of the resolution is in favor of adoption.  
24 However, if such a petition is determined to be invalid, the  
25 resolution shall take effect.

26 The result of the election shall be entered upon the

1 records of the district. If a majority of the voters vote in  
2 favor of such resolution, the resolution shall be effective  
3 immediately. The proposition shall be in substantially the  
4 following form:

5 -----

6	Shall the Board of Trustees of	
7	the .... Fire Protection District	YES
8	be authorized to increase the	
9	special tax for ambulance service	
10	to a rate not to exceed .30% of	-----
11	the value of all taxable property	
12	within the district as equalized or	
13	assessed by the Department of Revenue	NO
14	for the purpose of providing such service?	

15 -----

16 In this Section, "ambulance service" includes, without  
17 limitation, pre-hospital medical services. "Pre-hospital  
18 medical services" includes emergency services performed by a  
19 paramedic or other on-board emergency personnel that are within  
20 the scope of the provider's license. This amendatory Act of the  
21 95th General Assembly is declarative of existing law.

22 (Source: P.A. 86-1253; 87-767.)

23 (70 ILCS 705/25 new)

24 Sec. 25. Reimbursement for specialized rescue services. A  
25 fire protection district may fix, charge, and collect



1 reasonable fees for specialized rescue services provided by the  
2 district. The total amount collected may not exceed the  
3 reasonable cost of providing those specialized rescue services  
4 and may not, in any event, exceed \$125 per hour per vehicle and  
5 \$35 per hour per firefighter. The fee may be charged to any of  
6 the following parties, but only after there has been a finding  
7 of fault against that party by the Occupational Safety and  
8 Health Administration or the Illinois Department of Labor:

9 (a) the owner of the property on which the specialized  
10 rescue services occurred;

11 (b) any person involved in an activity that caused or  
12 contributed to the emergency;

13 (c) an individual who is rescued during the emergency  
14 and his or her employer if the person was acting in  
15 furtherance of the employer's interests;

16 (d) in cases involving the recovery of property, any  
17 person having control or custody of the property at the  
18 time of the emergency.

19 For the purposes of this Section, the term "specialized rescue  
20 services" includes, but is not limited to, structural collapse,  
21 tactical rescue, high angle rescue, underwater rescue and  
22 recovery, confined space rescue, below grade rescue, and trench  
23 rescue."