



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

**HB4545**

Introduced 2/1/2012, by Rep. Kelly M. Cassidy

#### SYNOPSIS AS INTRODUCED:

50 ILCS 740/2	from Ch. 85, par. 532
50 ILCS 740/9	from Ch. 85, par. 539
50 ILCS 740/10	from Ch. 85, par. 540

Amends the Illinois Fire Protection Training Act. Provides that the definition of "local governmental agency" includes the Office of the State Fire Marshal. Provides that if employees of the Office of the State Fire Marshal meet certain requirements, then they shall not be prohibited from receiving training certifications on the grounds that they are not employed or otherwise engaged by an organized Illinois fire department. Makes other changes.

LRB097 19823 KMW 65098 b

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 Fire Protection Training Act is  
5 amended by changing Sections 2, 9, and 10 as follows:

6 (50 ILCS 740/2) (from Ch. 85, par. 532)

7 Sec. 2. Definitions. As used in this Act, unless the  
8 context requires otherwise:

9 a. Office means the Office of the State Fire Marshal.

10 b. "Local governmental agency" means any local  
11 governmental unit or municipal corporation in this State. It  
12 does not include the State of Illinois or any office, officer,  
13 department, division, bureau, board, commission, or agency of  
14 the State except: (i) a State controlled university, college,  
15 or public community college, or (ii) the Office of the State  
16 Fire Marshal.

17 c. "School" means any school located within the State of  
18 Illinois whether privately or publicly owned which offers a  
19 course in fire protection training or related subjects and  
20 which has been approved by the Office.

21 d. "Trainee" means a recruit fire fighter required to  
22 complete initial minimum basic training requirements at an  
23 approved school to be eligible for permanent employment as a

1 fire fighter.

2 e. "Fire protection personnel" and "fire fighter" means any  
3 person engaged in fire administration, fire prevention, fire  
4 suppression, fire education and arson investigation, including  
5 any permanently employed, trainee or volunteer fire fighter,  
6 whether or not such person, trainee or volunteer is compensated  
7 for all or any fraction of his time.

8 f. "Basic training" and "basic level" shall mean the Basic  
9 Operations Firefighter program as promulgated by the rules and  
10 regulations of the Office.

11 (Source: P.A. 96-974, eff. 7-2-10.)

12 (50 ILCS 740/9) (from Ch. 85, par. 539)

13 Sec. 9. Training participation; funding. All local  
14 governmental agencies and individuals may elect to participate  
15 in the training programs under this Act, subject to the rules  
16 and regulations of the Office. The participation may be for  
17 certification only, or for certification and reimbursement for  
18 training expenses as further provided in this Act. To be  
19 eligible to receive reimbursement for training of individuals,  
20 a local governmental agency shall require by ordinance that a  
21 trainee complete a basic course approved by the Office, and  
22 pass the State test for certification at the basic level within  
23 the probationary period as established by the local  
24 governmental agency. A certified copy of the ordinance must be  
25 on file with the Office.

1           Individuals who have retired from active fire service  
2 duties and are officially affiliated with fire service  
3 training, mutual aid, incident command, fire ground  
4 operations, or staff support for public fire service  
5 organizations shall not be prohibited from receiving training  
6 certification from the Office on the ground that they are not  
7 employed or otherwise engaged by an organized Illinois fire  
8 department if they otherwise meet the minimum certification  
9 standards set by the Office.

10           Employees of the Office shall not be prohibited from  
11 receiving training certifications from the Office on the  
12 grounds that they are not employed or otherwise engaged by an  
13 organized Illinois fire department if they otherwise meet the  
14 minimum certification standards set by the Office and the  
15 certifications are directly related to their job-related  
16 duties, as determined by the Office.

17           The Office may by rule provide for reimbursement funding  
18 for trainees who are volunteers or paid on call fire protection  
19 personnel beyond their probationary period, but not to exceed 3  
20 years from the date of initial employment. The Office may  
21 reimburse for basic or advanced training of individuals who  
22 were permanently employed fire protection personnel prior to  
23 the date of the ordinance. Individuals may receive  
24 reimbursement if employed by a unit of local government that  
25 participates for reimbursement funding and the individual is  
26 otherwise eligible.

1 Failure of any trainee to complete the basic training and  
2 certification within the required period will render that  
3 individual and local governmental agency ineligible for  
4 reimbursement funding for basic training for that individual in  
5 the fiscal year in which his probationary period ends. The  
6 individual may later become certified without reimbursement.

7 Any participating local governmental agency may elect to  
8 withdraw from the training program by repealing the original  
9 ordinance, and a certified copy of the ordinance must be filed  
10 with the Office.

11 (Source: P.A. 96-215, eff. 8-10-09.)

12 (50 ILCS 740/10) (from Ch. 85, par. 540)

13 Sec. 10. Training expenses; reimbursement. The Office, not  
14 later than May 30th of each year, from funds appropriated for  
15 this purpose, shall reimburse the local governmental agencies  
16 or individuals participating in the training program in an  
17 amount equaling ~~equalling~~ one-half of the total sum paid by  
18 them during the period established by the Office for tuition at  
19 training schools, salary of trainees while in school, necessary  
20 travel expenses, and room and board for each trainee. In  
21 addition to reimbursement provided herein by the Office to the  
22 local governmental agencies for participation by trainees, the  
23 Office in each year shall reimburse the local governmental  
24 agencies participating in the training program for permanent  
25 fire protection personnel in the same manner as trainees for

1 each training program. No more than 50% of the reimbursements  
2 distributed to local governmental agencies in any fiscal year  
3 shall be distributed to local governmental agencies of more  
4 than 500,000 persons. If at the time of the annual  
5 reimbursement to local governmental agencies participating in  
6 the training program there is an insufficient appropriation to  
7 make reimbursement in full, the appropriation shall be  
8 apportioned among the participating local governmental  
9 agencies. No local governmental agency which shall alter or  
10 change in any manner any of the training programs as  
11 promulgated under this Act or fail to comply with rules and  
12 regulations promulgated under this Act shall be entitled to  
13 receive any matching funds under this Act. Submitting false  
14 information to the Office is a Class B misdemeanor.

15 (Source: P.A. 90-20, eff. 6-20-97.)