Public Act 104-0207

HB2142 Enrolled   LRB104 11610 RTM 21699 b

AN ACT concerning local government.

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

Section 5. The Emergency Services Districts Act is amended by changing Sections 2, 3, and 8 as follows:

(70 ILCS 2005/2) (from Ch. 85, par. 6852)

Sec. 2. Any contiguous territory having a population of not less than 300 inhabitants and no part of which is already included in an emergency services district, and no part of which is located in a fire protection district that provides rescue services, may be organized as an emergency services district as provided in this Act. However, an emergency services district may be organized in whole or in part within a fire protection district that provides rescue services if the emergency services district is formed and operated solely to provide ambulance services.

Any 5% of the legal voters within the limits of the proposed emergency services district may petition the circuit court for the county in which the territory lies to order the question whether the territory shall be organized as an emergency services district under this Act to be submitted to the legal voters of the territory, but every petition shall be signed by at least 25 legal voters residing within the

territory proposed to be organized as an emergency services
district, and in case the territory includes more than one
city, village or incorporated town, or any portions thereof,
or includes one or more cities, villages or incorporated
towns, or any portion thereof, and territory not a part of any
city, village or incorporated town, then the petition must be
signed by at least 5% of the legal voters residing in each of
those cities, villages, or incorporated towns, or portions
thereof, and by at least 5% of the legal voters residing in the
territory not a part of any city, village or incorporated
town. The petition shall contain a definite description of the
boundaries of the territory proposed to be organized as an
emergency services district, and shall set forth the name of
the proposed district, which name shall be The .... Emergency
Services District. If a fire protection district provides
ambulance service, then an emergency services district formed
and operated solely to provide ambulance service may be formed
in part or in whole within that fire protection district as
long as (i) the board of trustees of the fire protection
district adopts a resolution to cease its tax levy for
emergency ambulance service under Section 22 of the Fire
Protection District Act and (ii) the emergency services
district is operating an ambulance service that serves the
portion of the emergency services district located in the fire
protection district.
(Source: P.A. 103-134, eff. 1-1-24.)

(70 ILCS 2005/3) (from Ch. 85, par. 6853)

Sec. 3. Upon the filing of a petition in the office of the circuit clerk, the court to whom the petition is addressed shall give notice of the time and place of a hearing on the question of the necessity for the organization of an emergency services district and of the boundaries of the proposed district. The notice shall be published at least once each week for 2 successive weeks in one or more newspapers of general circulation in the proposed district. If there is no newspaper of general circulation in the proposed district, then and a copy of the notice shall be posted in at least 10 of the most public places in the proposed district at least 10 days before the hearing. The hearing shall be held within 20 days after the petition is filed with the circuit clerk.

The court shall preside at the hearing, and all persons resident within the territory proposed to be organized as an emergency services district shall be given an opportunity to be heard touching the necessity of the organization of a district and to make suggestions regarding the boundaries of the district. After hearing the statements, evidence and suggestions, if the court determines that considerations of public health and welfare make the organization of a district necessary, it shall fix the boundaries of the proposed emergency services district and, for that purpose and to that extent, may alter and amend the petition. In case the

boundaries as fixed by the court include any territory not included in the boundaries as described in the original petition, the court shall cause a notice to be inserted at least twice in some newspaper of general circulation in the additional territory, which notice shall state the time and place at which a hearing will be held to permit the owners of the land in the additional territory to appear and be heard on the question of including the additional territory. The notice shall be published at least 10 days before the hearing, and the hearing shall be held within 3 weeks after the court first fixes the boundaries. The hearing shall be held at a time that allows a referendum to create the proposed district to appear on the ballot at the next general election. At the hearing the boundaries of the proposed district shall be finally fixed by the court.
(Source: P.A. 103-134, eff. 1-1-24.)

(70 ILCS 2005/8) (from Ch. 85, par. 6858)

Sec. 8. The board of trustees of the district shall have power to:

(1) provide ambulance services to the emergency services district;

(2) take all necessary or proper steps to provide rescue services within the district;

(3) borrow money;

(4) mortgage, pledge, or grant a security interest in

any real or personal property of the district;

  (5) ~~to~~ purchase equipment, supplies, and materials;

  (6) buy, sell, and own real estate for the purpose associated with the operation of the emergency services district;

  (7) ~~to~~ recruit, employ, or contract with ambulance, rescue squad, or both ambulance and rescue squad personnel, who shall be compensated at a rate determined by the board of trustees; and

  (8) ~~generally to~~ do any and all things necessary or incident to the powers granted by this Act and to carry out the objects of this Act.
(Source: P.A. 103-134, eff. 1-1-24.)

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