



## 104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1296

Introduced 1/28/2025, by Rep. Lawrence "Larry" Walsh, Jr.

### SYNOPSIS AS INTRODUCED:

50 ILCS 742/5

Amends the Fire Department Promotion Act. Makes a technical change in a Section concerning definitions.

LRB104 07298 RTM 17337 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 Fire Department Promotion Act is amended by  
5 changing Section 5 as follows:

6 (50 ILCS 742/5)

7 Sec. 5. Definitions. In this Act:

8 "Affected department" or "department" means a full-time  
9 municipal fire department that ~~that~~ is subject to a collective  
10 bargaining agreement or the fire department operated by a  
11 full-time fire protection district. The terms do not include  
12 fire departments operated by the State, a university, or any  
13 unit of local government other than a municipality or fire  
14 protection district. The terms also do not include a combined  
15 department that was providing both police and firefighting  
16 services on January 1, 2002.

17 "Appointing authority" means the Board of Fire and Police  
18 Commissioners, Board of Fire Commissioners, Civil Service  
19 Commissioners, Superintendent or Department Head, Fire  
20 Protection District Board of Trustees, or other entity having  
21 the authority to administer and grant promotions in an  
22 affected department.

23 "Promotion" means any appointment or advancement to a rank

1 within the affected department (1) for which an examination  
2 was required before January 1, 2002; (2) that is included  
3 within a bargaining unit; or (3) that is the next rank  
4 immediately above the highest rank included within a  
5 bargaining unit, provided such rank is not the only rank  
6 between the Fire Chief and the highest rank included within  
7 the bargaining unit, or is a rank otherwise excepted under  
8 item (i), (ii), (iii), (iv), or (v) of this definition.  
9 "Promotion" does not include appointments (i) that are for  
10 fewer than 180 days; (ii) to the positions of Superintendent,  
11 Chief, or other chief executive officer; (iii) to an  
12 exclusively administrative or executive rank for which an  
13 examination is not required; (iv) to a rank that was exempted  
14 by a home rule municipality prior to January 1, 2002, provided  
15 that after the effective date of this Act no home rule  
16 municipality may exempt any future or existing ranks from the  
17 provisions of this Act; or (v) to an administrative rank  
18 immediately below the Superintendent, Chief, or other chief  
19 executive officer of an affected department, provided such  
20 rank shall not be held by more than 2 persons and there is a  
21 promoted rank immediately below it. Notwithstanding the  
22 exceptions to the definition of "promotion" set forth in items  
23 (i), (ii), (iii), (iv), and (v) of this definition, promotions  
24 shall include any appointments to ranks covered by the terms  
25 of a collective bargaining agreement in effect on the  
26 effective date of this Act.

1 "Preliminary promotion list" means the rank order of  
2 eligible candidates established in accordance with subsection  
3 (b) of Section 20 prior to applicable veteran's preference  
4 points. A person on the preliminary promotion list who is  
5 eligible for veteran's preference under the laws and  
6 agreements applicable to the appointing authority may file a  
7 written application for that preference within 10 days after  
8 the initial posting of the preliminary promotion list. The  
9 preference shall be calculated in accordance with Section 55  
10 and applied as an addition to the person's total point score on  
11 the examination. The appointing authority shall make  
12 adjustments to the preliminary promotion list based on any  
13 veteran's preference claimed and the final adjusted promotion  
14 list shall then be posted by the appointing authority.

15 "Rank" means any position within the chain of command of a  
16 fire department to which employees are regularly assigned to  
17 perform duties related to providing fire suppression, fire  
18 prevention, or emergency services.

19 "Final adjusted promotion list" means the promotion list  
20 for the position that is in effect on the date the position is  
21 created or the vacancy occurs. If there is no final adjusted  
22 promotion list in effect for that position on that date, or if  
23 all persons on the current final adjusted promotion list for  
24 that position refuse the promotion, the affected department  
25 shall not make a permanent promotion until a new final  
26 adjusted promotion list has been prepared in accordance with

1     this Act, but may make a temporary appointment to fill the  
2     vacancy. Temporary appointments shall not exceed 180 days.

3             Each component of the promotional test shall be scored on  
4     a scale of 100 points. The component scores shall then be  
5     reduced by the weighting factor assigned to the component on  
6     the test and the scores of all components shall be added to  
7     produce a total score based on a scale of 100 points.

8     (Source: P.A. 103-385, eff. 1-1-24.)