

HB1298



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1298

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 07302 RTM 17341 b

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 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 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.)