



Rep. Nabeela Syed

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10400HB2535ham001

LRB104 08237 RTM 24120 a

1 AMENDMENT TO HOUSE BILL 2535

2 AMENDMENT NO. _____. Amend House Bill 2535 by replacing
3 everything after the enacting clause with the following:

4 "Section 3. Findings. The General Assembly finds that:

5 (1) To protect the health, safety, and welfare of the
6 residents of this State, it is in the public interest to ensure
7 that fire protection districts have access to an adequate and
8 reliable water supply and sanitary sewers in order to serve
9 fire stations and facilities that house fire apparatus and
10 equipment.

11 (2) The ability to connect to the nearest reasonable and
12 available water source and sanitary sewer is essential to the
13 effectiveness of fire protection districts in preserving life
14 and property.

15 Section 5. The Fire Protection District Act is amended by
16 adding Sections 11n as follows:

1 (70 ILCS 705/11n new)

2 Sec. 11n. Water supply access for fire protection
3 districts.

4 (a) As used in this Section:

5 "Waterworks" has the meaning given to that term in Section
6 11-139-1 of the Illinois Municipal Code.

7 "Sewerage system" has the meaning given to that term in
8 Section 11-139-1 of the Illinois Municipal Code.

9 (b) A fire protection district may connect to and use the
10 closest available waterworks and sewerage system for fire
11 stations and fire protection facilities that house fire
12 apparatus and equipment.

13 (c) A fire protection district may install, maintain, and
14 operate any infrastructure necessary for a connection under
15 subsection (b), including, but not limited to, pipes, pumps,
16 hydrants, and storage facilities, in accordance with
17 applicable laws and regulations.

18 (d) The access to waterworks and sewerage systems under
19 this Section is limited to waterworks and sewerage systems
20 controlled or operated by a unit of local government.

21 (e) If a unit of local government controls or maintains
22 the waterworks or sewerage system that is closest to a fire
23 station and fire protection facility that houses fire
24 apparatus and equipment, then the unit of local government may
25 not deny or restrict a fire protection district's ability to

1 connect to that waterworks or sewerage system without good
2 cause.

3 (f) If a dispute arises between a fire protection district
4 and another entity regarding access to waterworks or sewerage
5 systems, then the fire protection district and the affected
6 entity shall engage in good faith negotiations to reach a
7 resolution. If no resolution is reached, then the fire
8 protection district may petition the Illinois Commerce
9 Commission or an appropriate regulatory authority for a
10 determination regarding reasonable access.

11 (g) A connection fee for a fire protection district shall
12 not be greater than the connection fee of any residential
13 customer of the waterworks or sewerage system and a usage fee
14 for a fire protection district shall not be greater than twice
15 the usage fee of any residential customer.

16 (h) A unit of local government that is a home rule unit may
17 not regulate connections to fire stations and fire protection
18 facilities in a manner inconsistent with this Section. This
19 Section is a denial and limitation of home rule powers and
20 functions under subsection (i) of Section 6 of Article VII of
21 the Illinois Constitution.".