



Rep. Michael J. Kelly

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10400HB5480ham001

LRB104 19938 BDA 35787 a

1 AMENDMENT TO HOUSE BILL 5480

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5480 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Fire Investigation Act is amended by  
5 changing Sections 6 and 6.1 as follows:

6 (425 ILCS 25/6) (from Ch. 127 1/2, par. 6)

7 Sec. 6. Investigation and record of fires; Office of the  
8 State Fire Marshal.

9 (a) The chief of the fire department shall investigate the  
10 cause, origin and circumstances of every fire occurring in a  
11 municipality or fire protection district, or in any area or on  
12 any property which is furnished fire protection by the fire  
13 department of such municipality or fire protection district,  
14 by which property has been destroyed or damaged, and shall  
15 especially make investigation as to whether such fire was the  
16 result of carelessness or design. Such investigation shall be

1 begun within two days, not including Sunday, of the occurrence  
2 of such fire, and the Office shall have the right to supervise  
3 and direct such investigation whenever it deems it expedient  
4 or necessary. The officer making investigation of fires  
5 occurring in cities, villages, towns, fire protection  
6 districts or townships shall forthwith notify the Office and  
7 shall by the 15th of the month following the occurrence of the  
8 fire, furnish to the Office a statement of all facts relating  
9 to the cause and origin of the fire, and such other information  
10 as may be called for in a format approved or on forms provided  
11 by the Office.

12 (a-5) The Office shall investigate the cause, origin, and  
13 circumstance of a fire or an explosion in which fire is  
14 presumed to be a contributing factor in a death. Upon  
15 discovery of a fire-related death at the scene of the  
16 incident, the chief of the fire department or the chief's  
17 designee shall notify the Office to initiate its  
18 investigation. Notwithstanding the notification requirements  
19 in subsection (a), the Office may request the fire chief or the  
20 chief's designee to take reasonable steps to maintain control  
21 of the scene and, if making such request, the Office shall  
22 provide an estimated time of arrival to the fire chief or the  
23 chief's designee. If the fire chief or the chief's designee  
24 has agreed to maintain control of the scene, the fire chief or  
25 the chief's designee may turn over control of a scene to a law  
26 enforcement officer. The fire chief, designee, or law

1 enforcement officer is not required to maintain a scene (i)  
2 after the arrival of a representative of the Office or (ii)  
3 upon advisement from the Office that it is no longer necessary  
4 to maintain control of the scene, whichever is first. This  
5 Section does not prohibit a fire department from conducting an  
6 investigation in conjunction with the Office.

7 (b) In every case in which a fire is determined to be a  
8 contributing factor in a death, the coroner of the county  
9 where the death occurred shall report the death to the Office  
10 as provided in Section 3-3013 of the Counties Code.

11 (c) The Office shall keep a record of all fires occurring  
12 in the State, together with all facts, statistics and  
13 circumstances, including the origin of the fires, which may be  
14 determined by the investigations provided by this act; such  
15 record shall at all times be open to the public inspection, and  
16 such portions of it as the State Director of Insurance may deem  
17 necessary shall be transcribed and forwarded to him within  
18 fifteen days from the first of January of each year.

19 (d) In addition to the reporting of fires, the chief of the  
20 fire department shall furnish to the Office such other  
21 information as the State Fire Marshal deems of importance to  
22 the fire services.

23 (Source: P.A. 101-82, eff. 1-1-20.)

24 (425 ILCS 25/6.1)

25 Sec. 6.1. Fire and hazardous material incident reporting

1 rules. The State Fire Marshal may adopt necessary rules for  
2 the administration of the reporting of fires, hazardous  
3 material incidents, and other incidents or events that the  
4 State Fire Marshal deems of importance to the fire services.  
5 The reporting of such information shall be based upon the  
6 nationally recognized standards of the United States Fire  
7 Administration's National Emergency Response Information  
8 System (NERIS) ~~Fire Incident Reporting System (NFIRS)~~.  
9 (Source: P.A. 101-82, eff. 1-1-20.)

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