



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2567

Introduced 2/15/2023, by Rep. Katie Stuart

SYNOPSIS AS INTRODUCED:

- 65 ILCS 5/10-1-7.1
- 65 ILCS 5/10-1-7.2
- 65 ILCS 5/10-2.1-6.3
- 65 ILCS 5/10-2.1-6.4

Amends the Civil Service In Cities Division and Board Of Fire and Police Commissioners Division of the Illinois Municipal Code. Expands the definition of "firefighter" to include persons appointed to a fire department or fire protection district, or employed by a State university, unit of local government, or Emergency Medical Services (EMS) System, and sworn or commissioned or employed to perform (i) firefighter duties, (ii) paramedic, emergency medical technician (EMT), emergency medical technician-basic (EMT-B), emergency medical technician-intermediate (EMT-I), or advanced emergency medical technician (A-EMT) duties, (iii) or both (rather than persons appointed to a fire department or fire protection district or employed by a State university and sworn or commissioned to perform firefighter duties, paramedic duties, or both).

LRB103 28858 AWJ 55243 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 Illinois Municipal Code is amended by
5 changing Sections 10-1-7.1, 10-1-7.2, 10-2.1-6.3, and
6 10-2.1-6.4 as follows:

7 (65 ILCS 5/10-1-7.1)

8 Sec. 10-1-7.1. Original appointments; full-time fire
9 department.

10 (a) Applicability. Unless a commission elects to follow
11 the provisions of Section 10-1-7.2, this Section shall apply
12 to all original appointments to an affected full-time fire
13 department. Existing registers of eligibles shall continue to
14 be valid until their expiration dates, or up to a maximum of 2
15 years after August 4, 2011 (the effective date of Public Act
16 97-251).

17 Notwithstanding any statute, ordinance, rule, or other law
18 to the contrary, all original appointments to an affected
19 department to which this Section applies shall be administered
20 in the manner provided for in this Section. Provisions of the
21 Illinois Municipal Code, municipal ordinances, and rules
22 adopted pursuant to such authority and other laws relating to
23 initial hiring of firefighters in affected departments shall

1 continue to apply to the extent they are compatible with this
2 Section, but in the event of a conflict between this Section
3 and any other law, this Section shall control.

4 A home rule or non-home rule municipality may not
5 administer its fire department process for original
6 appointments in a manner that is less stringent than this
7 Section. This Section is a limitation under subsection (i) of
8 Section 6 of Article VII of the Illinois Constitution on the
9 concurrent exercise by home rule units of the powers and
10 functions exercised by the State.

11 A municipality that is operating under a court order or
12 consent decree regarding original appointments to a full-time
13 fire department before August 4, 2011 (the effective date of
14 Public Act 97-251) is exempt from the requirements of this
15 Section for the duration of the court order or consent decree.

16 Notwithstanding any other provision of this subsection
17 (a), this Section does not apply to a municipality with more
18 than 1,000,000 inhabitants.

19 (b) Original appointments. All original appointments made
20 to an affected fire department shall be made from a register of
21 eligibles established in accordance with the processes
22 established by this Section. Only persons who meet or exceed
23 the performance standards required by this Section shall be
24 placed on a register of eligibles for original appointment to
25 an affected fire department.

26 Whenever an appointing authority authorizes action to hire

1 a person to perform the duties of a firefighter or to hire a
2 firefighter-paramedic to fill a position that is a new
3 position or vacancy due to resignation, discharge, promotion,
4 death, the granting of a disability or retirement pension, or
5 any other cause, the appointing authority shall appoint to
6 that position the person with the highest ranking on the final
7 eligibility list. If the appointing authority has reason to
8 conclude that the highest ranked person fails to meet the
9 minimum standards for the position or if the appointing
10 authority believes an alternate candidate would better serve
11 the needs of the department, then the appointing authority has
12 the right to pass over the highest ranked person and appoint
13 either: (i) any person who has a ranking in the top 5% of the
14 register of eligibles or (ii) any person who is among the top 5
15 highest ranked persons on the list of eligibles if the number
16 of people who have a ranking in the top 5% of the register of
17 eligibles is less than 5 people.

18 Any candidate may pass on an appointment once without
19 losing his or her position on the register of eligibles. Any
20 candidate who passes a second time may be removed from the list
21 by the appointing authority provided that such action shall
22 not prejudice a person's opportunities to participate in
23 future examinations, including an examination held during the
24 time a candidate is already on the municipality's register of
25 eligibles.

26 The sole authority to issue certificates of appointment

1 shall be vested in the Civil Service Commission. All
2 certificates of appointment issued to any officer or member of
3 an affected department shall be signed by the chairperson and
4 secretary, respectively, of the commission upon appointment of
5 such officer or member to the affected department by the
6 commission. After being selected from the register of
7 eligibles to fill a vacancy in the affected department, each
8 appointee shall be presented with his or her certificate of
9 appointment on the day on which he or she is sworn in as a
10 classified member of the affected department. Firefighters who
11 were not issued a certificate of appointment when originally
12 appointed shall be provided with a certificate within 10 days
13 after making a written request to the chairperson of the Civil
14 Service Commission. Each person who accepts a certificate of
15 appointment and successfully completes his or her probationary
16 period shall be enrolled as a firefighter and as a regular
17 member of the fire department.

18 For the purposes of this Section, "firefighter" means any
19 person who has been prior to, on, or after August 4, 2011 (the
20 effective date of Public Act 97-251) appointed to a fire
21 department or fire protection district, or employed by a State
22 university, unit of local government, or Emergency Medical
23 Services (EMS) System, and sworn or commissioned or employed
24 to perform (i) firefighter duties, (ii) ~~or~~ paramedic,
25 emergency medical technician (EMT), emergency medical
26 technician-basic (EMT-B), emergency medical

1 technician-intermediate (EMT-I), or advanced emergency medical
2 technician (A-EMT) duties, (iii) or both, except that the
3 following persons are not included: part-time firefighters;
4 auxiliary, reserve, or voluntary firefighters, including
5 paid-on-call firefighters; clerks and dispatchers or other
6 civilian employees of a fire department or fire protection
7 district who are not routinely expected to perform firefighter
8 duties; and elected officials.

9 (c) Qualification for placement on register of eligibles.
10 The purpose of establishing a register of eligibles is to
11 identify applicants who possess and demonstrate the mental
12 aptitude and physical ability to perform the duties required
13 of members of the fire department in order to provide the
14 highest quality of service to the public. To this end, all
15 applicants for original appointment to an affected fire
16 department shall be subject to examination and testing which
17 shall be public, competitive, and open to all applicants
18 unless the municipality shall by ordinance limit applicants to
19 residents of the municipality, county or counties in which the
20 municipality is located, State, or nation. Any examination and
21 testing procedure utilized under subsection (e) of this
22 Section shall be supported by appropriate validation evidence
23 and shall comply with all applicable State and federal laws.
24 Municipalities may establish educational, emergency medical
25 service licensure, and other prerequisites for participation
26 in an examination or for hire as a firefighter. Any

1 municipality may charge a fee to cover the costs of the
2 application process.

3 Residency requirements in effect at the time an individual
4 enters the fire service of a municipality cannot be made more
5 restrictive for that individual during his or her period of
6 service for that municipality, or be made a condition of
7 promotion, except for the rank or position of fire chief and
8 for no more than 2 positions that rank immediately below that
9 of the chief rank which are appointed positions pursuant to
10 the Fire Department Promotion Act.

11 No person who is 35 years of age or older shall be eligible
12 to take an examination for a position as a firefighter unless
13 the person has had previous employment status as a firefighter
14 in the regularly constituted fire department of the
15 municipality, except as provided in this Section. The age
16 limitation does not apply to:

17 (1) any person previously employed as a full-time
18 firefighter in a regularly constituted fire department of
19 (i) any municipality or fire protection district located
20 in Illinois, (ii) a fire protection district whose
21 obligations were assumed by a municipality under Section
22 21 of the Fire Protection District Act, or (iii) a
23 municipality whose obligations were taken over by a fire
24 protection district,

25 (2) any person who has served a municipality as a
26 regularly enrolled volunteer, paid-on-call, or part-time

1 firefighter, or

2 (3) any person who turned 35 while serving as a member
3 of the active or reserve components of any of the branches
4 of the Armed Forces of the United States or the National
5 Guard of any state, whose service was characterized as
6 honorable or under honorable, if separated from the
7 military, and is currently under the age of 40.

8 No person who is under 21 years of age shall be eligible
9 for employment as a firefighter.

10 No applicant shall be examined concerning his or her
11 political or religious opinions or affiliations. The
12 examinations shall be conducted by the commissioners of the
13 municipality or their designees and agents.

14 No municipality shall require that any firefighter
15 appointed to the lowest rank serve a probationary employment
16 period of longer than one year of actual active employment,
17 which may exclude periods of training, or injury or illness
18 leaves, including duty related leave, in excess of 30 calendar
19 days. Notwithstanding anything to the contrary in this
20 Section, the probationary employment period limitation may be
21 extended for a firefighter who is required, as a condition of
22 employment, to be a licensed paramedic, during which time the
23 sole reason that a firefighter may be discharged without a
24 hearing is for failing to meet the requirements for paramedic
25 licensure.

26 In the event that any applicant who has been found

1 eligible for appointment and whose name has been placed upon
2 the final eligibility register provided for in this Division 1
3 has not been appointed to a firefighter position within one
4 year after the date of his or her physical ability
5 examination, the commission may cause a second examination to
6 be made of that applicant's physical ability prior to his or
7 her appointment. If, after the second examination, the
8 physical ability of the applicant shall be found to be less
9 than the minimum standard fixed by the rules of the
10 commission, the applicant shall not be appointed. The
11 applicant's name may be retained upon the register of
12 candidates eligible for appointment and when next reached for
13 certification and appointment that applicant may be again
14 examined as provided in this Section, and if the physical
15 ability of that applicant is found to be less than the minimum
16 standard fixed by the rules of the commission, the applicant
17 shall not be appointed, and the name of the applicant shall be
18 removed from the register.

19 (d) Notice, examination, and testing components. Notice of
20 the time, place, general scope, merit criteria for any
21 subjective component, and fee of every examination shall be
22 given by the commission, by a publication at least 2 weeks
23 preceding the examination: (i) in one or more newspapers
24 published in the municipality, or if no newspaper is published
25 therein, then in one or more newspapers with a general
26 circulation within the municipality, or (ii) on the

1 municipality's Internet website. Additional notice of the
2 examination may be given as the commission shall prescribe.

3 The examination and qualifying standards for employment of
4 firefighters shall be based on: mental aptitude, physical
5 ability, preferences, moral character, and health. The mental
6 aptitude, physical ability, and preference components shall
7 determine an applicant's qualification for and placement on
8 the final register of eligibles. The examination may also
9 include a subjective component based on merit criteria as
10 determined by the commission. Scores from the examination must
11 be made available to the public.

12 (e) Mental aptitude. No person who does not possess at
13 least a high school diploma or an equivalent high school
14 education shall be placed on a register of eligibles.
15 Examination of an applicant's mental aptitude shall be based
16 upon a written examination. The examination shall be practical
17 in character and relate to those matters that fairly test the
18 capacity of the persons examined to discharge the duties
19 performed by members of a fire department. Written
20 examinations shall be administered in a manner that ensures
21 the security and accuracy of the scores achieved.

22 (f) Physical ability. All candidates shall be required to
23 undergo an examination of their physical ability to perform
24 the essential functions included in the duties they may be
25 called upon to perform as a member of a fire department. For
26 the purposes of this Section, essential functions of the job

1 are functions associated with duties that a firefighter may be
2 called upon to perform in response to emergency calls. The
3 frequency of the occurrence of those duties as part of the fire
4 department's regular routine shall not be a controlling factor
5 in the design of examination criteria or evolutions selected
6 for testing. These physical examinations shall be open,
7 competitive, and based on industry standards designed to test
8 each applicant's physical abilities in the following
9 dimensions:

10 (1) Muscular strength to perform tasks and evolutions
11 that may be required in the performance of duties
12 including grip strength, leg strength, and arm strength.
13 Tests shall be conducted under anaerobic as well as
14 aerobic conditions to test both the candidate's speed and
15 endurance in performing tasks and evolutions. Tasks tested
16 may be based on standards developed, or approved, by the
17 local appointing authority.

18 (2) The ability to climb ladders, operate from
19 heights, walk or crawl in the dark along narrow and uneven
20 surfaces, and operate in proximity to hazardous
21 environments.

22 (3) The ability to carry out critical, time-sensitive,
23 and complex problem solving during physical exertion in
24 stressful and hazardous environments. The testing
25 environment may be hot and dark with tightly enclosed
26 spaces, flashing lights, sirens, and other distractions.

1 The tests utilized to measure each applicant's
2 capabilities in each of these dimensions may be tests based on
3 industry standards currently in use or equivalent tests
4 approved by the Joint Labor-Management Committee of the Office
5 of the State Fire Marshal.

6 Physical ability examinations administered under this
7 Section shall be conducted with a reasonable number of
8 proctors and monitors, open to the public, and subject to
9 reasonable regulations of the commission.

10 (g) Scoring of examination components. Appointing
11 authorities may create a preliminary eligibility register. A
12 person shall be placed on the list based upon his or her
13 passage of the written examination or the passage of the
14 written examination and the physical ability component.
15 Passage of the written examination means attaining the minimum
16 score set by the commission. Minimum scores should be set by
17 the commission so as to demonstrate a candidate's ability to
18 perform the essential functions of the job. The minimum score
19 set by the commission shall be supported by appropriate
20 validation evidence and shall comply with all applicable State
21 and federal laws. The appointing authority may conduct the
22 physical ability component and any subjective components
23 subsequent to the posting of the preliminary eligibility
24 register.

25 The examination components for an initial eligibility
26 register shall be graded on a 100-point scale. A person's

1 position on the list shall be determined by the following: (i)
2 the person's score on the written examination, (ii) the person
3 successfully passing the physical ability component, and (iii)
4 the person's results on any subjective component as described
5 in subsection (d).

6 In order to qualify for placement on the final eligibility
7 register, an applicant's score on the written examination,
8 before any applicable preference points or subjective points
9 are applied, shall be at or above the minimum score set by the
10 commission. The local appointing authority may prescribe the
11 score to qualify for placement on the final eligibility
12 register, but the score shall not be less than the minimum
13 score set by the commission.

14 The commission shall prepare and keep a register of
15 persons whose total score is not less than the minimum score
16 for passage and who have passed the physical ability
17 examination. These persons shall take rank upon the register
18 as candidates in the order of their relative excellence based
19 on the highest to the lowest total points scored on the mental
20 aptitude, subjective component, and preference components of
21 the test administered in accordance with this Section. No more
22 than 60 days after each examination, an initial eligibility
23 list shall be posted by the commission. The list shall include
24 the final grades of the candidates without reference to
25 priority of the time of examination and subject to claim for
26 preference credit.

1 Commissions may conduct additional examinations, including
2 without limitation a polygraph test, after a final eligibility
3 register is established and before it expires with the
4 candidates ranked by total score without regard to date of
5 examination. No more than 60 days after each examination, an
6 initial eligibility list shall be posted by the commission
7 showing the final grades of the candidates without reference
8 to priority of time of examination and subject to claim for
9 preference credit.

10 (h) Preferences. The following are preferences:

11 (1) Veteran preference. Persons who were engaged in
12 the military service of the United States for a period of
13 at least one year of active duty and who were honorably
14 discharged therefrom, or who are now or have been members
15 on inactive or reserve duty in such military or naval
16 service, shall be preferred for appointment to and
17 employment with the fire department of an affected
18 department.

19 (2) Fire cadet preference. Persons who have
20 successfully completed 2 years of study in fire techniques
21 or cadet training within a cadet program established under
22 the rules of the Joint Labor and Management Committee
23 (JLMC), as defined in Section 50 of the Fire Department
24 Promotion Act, may be preferred for appointment to and
25 employment with the fire department.

26 (3) Educational preference. Persons who have

1 successfully obtained an associate's degree in the field
2 of fire service or emergency medical services, or a
3 bachelor's degree from an accredited college or university
4 may be preferred for appointment to and employment with
5 the fire department.

6 (4) Paramedic preference. Persons who have obtained a
7 license as a paramedic may be preferred for appointment to
8 and employment with the fire department of an affected
9 department providing emergency medical services.

10 (5) Experience preference. All persons employed by a
11 municipality who have been paid-on-call or part-time
12 certified Firefighter II, certified Firefighter III, State
13 of Illinois or nationally licensed EMT, EMT-I, A-EMT, or
14 paramedic, or any combination of those capacities may be
15 awarded up to a maximum of 5 points. However, the
16 applicant may not be awarded more than 0.5 points for each
17 complete year of paid-on-call or part-time service.
18 Applicants from outside the municipality who were employed
19 as full-time firefighters or firefighter-paramedics by a
20 fire protection district or another municipality may be
21 awarded up to 5 experience preference points. However, the
22 applicant may not be awarded more than one point for each
23 complete year of full-time service.

24 Upon request by the commission, the governing body of
25 the municipality or in the case of applicants from outside
26 the municipality the governing body of any fire protection

1 district or any other municipality shall certify to the
2 commission, within 10 days after the request, the number
3 of years of successful paid-on-call, part-time, or
4 full-time service of any person. A candidate may not
5 receive the full amount of preference points under this
6 subsection if the amount of points awarded would place the
7 candidate before a veteran on the eligibility list. If
8 more than one candidate receiving experience preference
9 points is prevented from receiving all of their points due
10 to not being allowed to pass a veteran, the candidates
11 shall be placed on the list below the veteran in rank order
12 based on the totals received if all points under this
13 subsection were to be awarded. Any remaining ties on the
14 list shall be determined by lot.

15 (6) Residency preference. Applicants whose principal
16 residence is located within the fire department's
17 jurisdiction may be preferred for appointment to and
18 employment with the fire department.

19 (7) Additional preferences. Up to 5 additional
20 preference points may be awarded for unique categories
21 based on an applicant's experience or background as
22 identified by the commission.

23 (7.5) Apprentice preferences. A person who has
24 performed fire suppression service for a department as a
25 firefighter apprentice and otherwise meets the
26 qualifications for original appointment as a firefighter

1 specified in this Section may be awarded up to 20
2 preference points. To qualify for preference points, an
3 applicant shall have completed a minimum of 600 hours of
4 fire suppression work on a regular shift for the affected
5 fire department over a 12-month period. The fire
6 suppression work must be in accordance with Section
7 10-1-14 of this Division and the terms established by a
8 Joint Apprenticeship Committee included in a collective
9 bargaining agreement agreed between the employer and its
10 certified bargaining agent. An eligible applicant must
11 apply to the Joint Apprenticeship Committee for preference
12 points under this item. The Joint Apprenticeship Committee
13 shall evaluate the merit of the applicant's performance,
14 determine the preference points to be awarded, and certify
15 the amount of points awarded to the commissioners. The
16 commissioners may add the certified preference points to
17 the final grades achieved by the applicant on the other
18 components of the examination.

19 (8) Scoring of preferences. The commission shall give
20 preference for original appointment to persons designated
21 in item (1) by adding to the final grade that they receive
22 5 points for the recognized preference achieved. The
23 commission may give preference for original appointment to
24 persons designated in item (7.5) by adding to the final
25 grade the amount of points designated by the Joint
26 Apprenticeship Committee as defined in item (7.5). The

1 commission shall determine the number of preference points
2 for each category, except items (1) and (7.5). The number
3 of preference points for each category shall range from 0
4 to 5, except item (7.5). In determining the number of
5 preference points, the commission shall prescribe that if
6 a candidate earns the maximum number of preference points
7 in all categories except item (7.5), that number may not
8 be less than 10 nor more than 30. The commission shall give
9 preference for original appointment to persons designated
10 in items (2) through (7) by adding the requisite number of
11 points to the final grade for each recognized preference
12 achieved. The numerical result thus attained shall be
13 applied by the commission in determining the final
14 eligibility list and appointment from the eligibility
15 list. The local appointing authority may prescribe the
16 total number of preference points awarded under this
17 Section, but the total number of preference points, except
18 item (7.5), shall not be less than 10 points or more than
19 30 points. Apprentice preference points may be added in
20 addition to other preference points awarded by the
21 commission.

22 No person entitled to any preference shall be required to
23 claim the credit before any examination held under the
24 provisions of this Section, but the preference shall be given
25 after the posting or publication of the initial eligibility
26 list or register at the request of a person entitled to a

1 credit before any certification or appointments are made from
2 the eligibility register, upon the furnishing of verifiable
3 evidence and proof of qualifying preference credit. Candidates
4 who are eligible for preference credit shall make a claim in
5 writing within 10 days after the posting of the initial
6 eligibility list, or the claim shall be deemed waived. Final
7 eligibility registers shall be established after the awarding
8 of verified preference points. However, apprentice preference
9 credit earned subsequent to the establishment of the final
10 eligibility register may be applied to the applicant's score
11 upon certification by the Joint Apprenticeship Committee to
12 the commission and the rank order of candidates on the final
13 eligibility register shall be adjusted accordingly. All
14 employment shall be subject to the commission's initial hire
15 background review, including, but not limited to, criminal
16 history, employment history, moral character, oral
17 examination, and medical and psychological examinations, all
18 on a pass-fail basis. The medical and psychological
19 examinations must be conducted last, and may only be performed
20 after a conditional offer of employment has been extended.

21 Any person placed on an eligibility list who exceeds the
22 age requirement before being appointed to a fire department
23 shall remain eligible for appointment until the list is
24 abolished, or his or her name has been on the list for a period
25 of 2 years. No person who has attained the age of 35 years
26 shall be inducted into a fire department, except as otherwise

1 provided in this Section.

2 The commission shall strike off the names of candidates
3 for original appointment after the names have been on the list
4 for more than 2 years.

5 (i) Moral character. No person shall be appointed to a
6 fire department unless he or she is a person of good character;
7 not a habitual drunkard, a gambler, or a person who has been
8 convicted of a felony or a crime involving moral turpitude.
9 However, no person shall be disqualified from appointment to
10 the fire department because of the person's record of
11 misdemeanor convictions except those under Sections 11-6,
12 11-7, 11-9, 11-14, 11-15, 11-17, 11-18, 11-19, 12-2, 12-6,
13 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1,
14 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, 32-8, and paragraphs
15 (1), (6), and (8) of subsection (a) of Section 24-1 of the
16 Criminal Code of 1961 or the Criminal Code of 2012, or arrest
17 for any cause without conviction thereon. Any such person who
18 is in the department may be removed on charges brought for
19 violating this subsection and after a trial as hereinafter
20 provided.

21 A classifiable set of the fingerprints of every person who
22 is offered employment as a certificated member of an affected
23 fire department whether with or without compensation, shall be
24 furnished to the Illinois State Police and to the Federal
25 Bureau of Investigation by the commission.

26 Whenever a commission is authorized or required by law to

1 consider some aspect of criminal history record information
2 for the purpose of carrying out its statutory powers and
3 responsibilities, then, upon request and payment of fees in
4 conformance with the requirements of Section 2605-400 of the
5 Illinois State Police Law of the Civil Administrative Code of
6 Illinois, the Illinois State Police is authorized to furnish,
7 pursuant to positive identification, the information contained
8 in State files as is necessary to fulfill the request.

9 (j) Temporary appointments. In order to prevent a stoppage
10 of public business, to meet extraordinary exigencies, or to
11 prevent material impairment of the fire department, the
12 commission may make temporary appointments, to remain in force
13 only until regular appointments are made under the provisions
14 of this Division, but never to exceed 60 days. No temporary
15 appointment of any one person shall be made more than twice in
16 any calendar year.

17 (k) A person who knowingly divulges or receives test
18 questions or answers before a written examination, or
19 otherwise knowingly violates or subverts any requirement of
20 this Section, commits a violation of this Section and may be
21 subject to charges for official misconduct.

22 A person who is the knowing recipient of test information
23 in advance of the examination shall be disqualified from the
24 examination or discharged from the position to which he or she
25 was appointed, as applicable, and otherwise subjected to
26 disciplinary actions.

1 (Source: P.A. 101-489, eff. 8-23-19; 102-375, eff. 8-13-21;
2 102-538, eff. 8-20-21; 102-558, eff. 8-20-21; 102-813, eff.
3 5-13-22.)

4 (65 ILCS 5/10-1-7.2)

5 Sec. 10-1-7.2. Alternative procedure; original
6 appointment; full-time firefighter.

7 (a) Authority. The Joint Labor and Management Committee
8 (JLMC), as defined in Section 50 of the Fire Department
9 Promotion Act, may establish a community outreach program to
10 market the profession of firefighter and firefighter-paramedic
11 so as to ensure the pool of applicants recruited is of broad
12 diversity and the highest quality. Nothing in this Section
13 requires that the Joint Labor and Management Committee
14 establish or operate the community outreach program or master
15 register of eligibles, or to contract with a testing agency to
16 establish or operate such program or register, unless the
17 Joint Labor and Management Committee chooses to do so.

18 For the purposes of this Section, "firefighter" means any
19 person who has been prior to, on, or after the effective date
20 of this amendatory Act of the 97th General Assembly appointed
21 to a fire department or fire protection district, or employed
22 by a State university, unit of local government, or Emergency
23 Medical Services (EMS) System, and sworn or commissioned or
24 employed to perform (i) firefighter duties, (ii) ~~or~~ paramedic,
25 emergency medical technician (EMT), emergency medical

1 technician-basic (EMT-B), emergency medical
2 technician-intermediate (EMT-I), or advanced emergency medical
3 technician (A-EMT) duties, (iii) or both, except that the
4 following persons are not included: part-time firefighters;
5 auxiliary, reserve, or voluntary firefighters, including
6 paid-on-call firefighters; clerks and dispatchers or other
7 civilian employees of a fire department or fire protection
8 district who are not routinely expected to perform firefighter
9 duties; and elected officials.

10 (b) Eligibility. Persons eligible for placement on the
11 master register of eligibles shall consist of the following:

12 Persons who have participated in and received a
13 passing total score on the mental aptitude, physical
14 ability, and preference components of a regionally
15 administered test based on the standards described in this
16 Section. The standards for administering these tests and
17 the minimum passing score required for placement on this
18 list shall be as is set forth in this Section.

19 Qualified candidates shall be listed on the master
20 register of eligibles in highest to lowest rank order
21 based upon their test scores without regard to their date
22 of examination. Candidates listed on the master register
23 of eligibles shall be eligible for appointment for 2 years
24 after the date of the certification of their final score
25 on the register without regard to the date of their
26 examination. After 2 years, the candidate's name shall be

1 struck from the list.

2 Any person currently employed as a full-time member of
3 a fire department or any person who has experienced a
4 non-voluntary (and non-disciplinary) separation from the
5 active workforce due to a reduction in the number of
6 departmental officers, who was appointed pursuant to this
7 Division, Division 2.1 of Article 10 of the Illinois
8 Municipal Code, or the Fire Protection District Act, and
9 who during the previous 24 months participated in and
10 received a passing score on the physical ability and
11 mental aptitude components of the test may request that
12 his or her name be added to the master register. Any
13 eligible person may be offered employment by a local
14 commission under the same procedures as provided by this
15 Section except that the apprenticeship period may be
16 waived and the applicant may be immediately issued a
17 certificate of original appointment by the local
18 commission.

19 (c) Qualifications for placement on register of eligibles.
20 The purpose for establishing a master register of eligibles
21 shall be to identify applicants who possess and demonstrate
22 the mental aptitude and physical ability to perform the duties
23 required of members of the fire department in order to provide
24 the highest quality of service to the public. To this end, all
25 applicants for original appointment to an affected fire
26 department through examination conducted by the Joint Labor

1 and Management Committee (JLMC) shall be subject to
2 examination and testing which shall be public, competitive,
3 and open to all applicants. Any examination and testing
4 procedure utilized under subsection (e) of this Section shall
5 be supported by appropriate validation evidence and shall
6 comply with all applicable state and federal laws. Any
7 subjective component of the testing must be administered by
8 certified assessors. All qualifying and disqualifying factors
9 applicable to examination processes for local commissions in
10 this amendatory Act of the 97th General Assembly shall be
11 applicable to persons participating in Joint Labor and
12 Management Committee examinations unless specifically provided
13 otherwise in this Section.

14 Notice of the time, place, general scope, and fee of every
15 JLMC examination shall be given by the JLMC or designated
16 testing agency, as applicable, by publication at least 30 days
17 preceding the examination, in one or more newspapers published
18 in the region, or if no newspaper is published therein, then in
19 one or more newspapers with a general circulation within the
20 region. The JLMC may publish the notice on the JLMC's Internet
21 website. Additional notice of the examination may be given as
22 the JLMC shall prescribe.

23 (d) Examination and testing components for placement on
24 register of eligibles. The examination and qualifying
25 standards for placement on the master register of eligibles
26 and employment shall be based on the following components:

1 mental aptitude, physical ability, preferences, moral
2 character, and health. The mental aptitude, physical ability,
3 and preference components shall determine an applicant's
4 qualification for and placement on the master register of
5 eligibles. The consideration of an applicant's general moral
6 character and health shall be administered on a pass-fail
7 basis after a conditional offer of employment is made by a
8 local commission.

9 (e) Mental aptitude. Examination of an applicant's mental
10 aptitude shall be based upon written examination and an
11 applicant's prior experience demonstrating an aptitude for and
12 commitment to service as a member of a fire department.
13 Written examinations shall be practical in character and
14 relate to those matters that fairly test the capacity of the
15 persons examined to discharge the duties performed by members
16 of a fire department. Written examinations shall be
17 administered in a manner that ensures the security and
18 accuracy of the scores achieved. Any subjective component of
19 the testing must be administered by certified assessors. No
20 person who does not possess a high school diploma or an
21 equivalent high school education shall be placed on a register
22 of eligibles. Local commissions may establish educational,
23 emergency medical service licensure, and other pre-requisites
24 for hire within their jurisdiction.

25 (f) Physical ability. All candidates shall be required to
26 undergo an examination of their physical ability to perform

1 the essential functions included in the duties they may be
2 called upon to perform as a member of a fire department. For
3 the purposes of this Section, essential functions of the job
4 are functions associated with duties that a firefighter may be
5 called upon to perform in response to emergency calls. The
6 frequency of the occurrence of those duties as part of the fire
7 department's regular routine shall not be a controlling factor
8 in the design of examination criteria or evolutions selected
9 for testing. These physical examinations shall be open,
10 competitive, and based on industry standards designed to test
11 each applicant's physical abilities in each of the following
12 dimensions:

13 (1) Muscular strength to perform tasks and evolutions
14 that may be required in the performance of duties
15 including grip strength, leg strength, and arm strength.
16 Tests shall be conducted under anaerobic as well as
17 aerobic conditions to test both the candidate's speed and
18 endurance in performing tasks and evolutions. Tasks tested
19 are to be based on industry standards developed by the
20 JLMC by rule.

21 (2) The ability to climb ladders, operate from
22 heights, walk or crawl in the dark along narrow and uneven
23 surfaces, and operate in proximity to hazardous
24 environments.

25 (3) The ability to carry out critical, time-sensitive,
26 and complex problem solving during physical exertion in

1 stressful and hazardous environments. The testing
2 environment may be hot and dark with tightly enclosed
3 spaces, flashing lights, sirens, and other distractions.

4 The tests utilized to measure each applicant's
5 capabilities in each of these dimensions may be tests based on
6 industry standards currently in use or equivalent tests
7 approved by the Joint Labor-Management Committee of the Office
8 of the State Fire Marshal.

9 (g) Scoring of examination components. The examination
10 components shall be graded on a 100-point scale. A person's
11 position on the master register of eligibles shall be
12 determined by the person's score on the written examination,
13 the person successfully passing the physical ability
14 component, and the addition of any applicable preference
15 points.

16 Applicants who have achieved at least the minimum score on
17 the written examination, as set by the JLMC, and who
18 successfully pass the physical ability examination shall be
19 placed on the initial eligibility register. Minimum scores
20 should be set by the JLMC so as to demonstrate a candidate's
21 ability to perform the essential functions of the job. The
22 minimum score set by the JLMC shall be supported by
23 appropriate validation evidence and shall comply with all
24 applicable State and federal laws. Applicable preference
25 points shall be added to the written examination scores for
26 all applicants who qualify for the initial eligibility

1 register. Applicants who score at or above the minimum passing
2 score as set by the JLMC, including any applicable preference
3 points, shall be placed on the master register of eligibles by
4 the JLMC.

5 These persons shall take rank upon the register as
6 candidates in the order of their relative excellence based on
7 the highest to the lowest total points scored on the mental
8 aptitude and physical ability components, plus any applicable
9 preference points requested and verified by the JLMC, or
10 approved testing agency.

11 No more than 60 days after each examination, a revised
12 master register of eligibles shall be posted by the JLMC
13 showing the final grades of the candidates without reference
14 to priority of time of examination.

15 (h) Preferences. The board shall give military, education,
16 and experience preference points to those who qualify for
17 placement on the master register of eligibles, on the same
18 basis as provided for examinations administered by a local
19 commission.

20 No person entitled to preference or credit shall be
21 required to claim the credit before any examination held under
22 the provisions of this Section. The preference shall be given
23 after the posting or publication of the applicant's initial
24 score at the request of the person before finalizing the
25 scores from all applicants taking part in a JLMC examination.
26 Candidates who are eligible for preference credit shall make a

1 claim in writing within 10 days after the posting of the
2 initial scores from any JLMC test or the claim shall be deemed
3 waived. Once preference points are awarded, the candidates
4 shall be certified to the master register in accordance with
5 their final score including preference points.

6 (i) Firefighter apprentice and firefighter-paramedic
7 apprentice. The employment of an applicant to an apprentice
8 position (including a currently employed full-time member of a
9 fire department whose apprenticeship may be reduced or waived)
10 shall be subject to the applicant passing the moral character
11 standards and health examinations of the local commission. In
12 addition, a local commission may require as a condition of
13 employment that the applicant demonstrate current physical
14 ability by either passing the local commission's approved
15 physical ability examination, or by presenting proof of
16 participating in and receiving a passing score on the physical
17 ability component of a JLMC test within a period of up to 12
18 months before the date of the conditional offer of employment.
19 Applicants shall be subject to the local commission's initial
20 hire background review including criminal history, employment
21 history, moral character, oral examination, and medical
22 examinations which may include polygraph, psychological, and
23 drug screening components, all on a pass-fail basis. The
24 medical examinations must be conducted last, and may only be
25 performed after a conditional offer of employment has been
26 extended.

1 (j) Selection from list. Any municipality or fire
2 protection district that is a party to an intergovernmental
3 agreement under the terms of which persons have been tested
4 for placement on the master register of eligibles shall be
5 entitled to offer employment to any person on the list
6 irrespective of their ranking on the list. The offer of
7 employment shall be to the position of firefighter apprentice
8 or firefighter-paramedic apprentice.

9 Applicants passing these tests may be employed as a
10 firefighter apprentice or a firefighter-paramedic apprentice
11 who shall serve an apprenticeship period of 12 months or less
12 according to the terms and conditions of employment as the
13 employing municipality or district offers, or as provided for
14 under the terms of any collective bargaining agreement then in
15 effect. The apprenticeship period is separate from the
16 probationary period.

17 Service during the apprenticeship period shall be on a
18 probationary basis. During the apprenticeship period, the
19 apprentice's training and performance shall be monitored and
20 evaluated by a Joint Apprenticeship Committee.

21 The Joint Apprenticeship Committee shall consist of 4
22 members who shall be regular members of the fire department
23 with at least 10 years of full-time work experience as a
24 firefighter or firefighter-paramedic. The fire chief and the
25 president of the exclusive bargaining representative
26 recognized by the employer shall each appoint 2 members to the

1 Joint Apprenticeship Committee. In the absence of an exclusive
2 collective bargaining representative, the chief shall appoint
3 the remaining 2 members who shall be from the ranks of company
4 officer and firefighter with at least 10 years of work
5 experience as a firefighter or firefighter-paramedic. In the
6 absence of a sufficient number of qualified firefighters, the
7 Joint Apprenticeship Committee members shall have the amount
8 of experience and the type of qualifications as is reasonable
9 given the circumstances of the fire department. In the absence
10 of a full-time member in a rank between chief and the highest
11 rank in a bargaining unit, the Joint Apprenticeship Committee
12 shall be reduced to 2 members, one to be appointed by the chief
13 and one by the union president, if any. If there is no
14 exclusive bargaining representative, the chief shall appoint
15 the second member of the Joint Apprenticeship Committee from
16 among qualified members in the ranks of company officer and
17 below. Before the conclusion of the apprenticeship period, the
18 Joint Apprenticeship Committee shall meet to consider the
19 apprentice's progress and performance and vote to retain the
20 apprentice as a member of the fire department or to terminate
21 the apprenticeship. If 3 of the 4 members of the Joint
22 Apprenticeship Committee affirmatively vote to retain the
23 apprentice (if a 2 member Joint Apprenticeship Committee
24 exists, then both members must affirmatively vote to retain
25 the apprentice), the local commission shall issue the
26 apprentice a certificate of original appointment to the fire

1 department.

2 (k) A person who knowingly divulges or receives test
3 questions or answers before a written examination, or
4 otherwise knowingly violates or subverts any requirement of
5 this Section, commits a violation of this Section and may be
6 subject to charges for official misconduct.

7 A person who is the knowing recipient of test information
8 in advance of the examination shall be disqualified from the
9 examination or discharged from the position to which he or she
10 was appointed, as applicable, and otherwise subjected to
11 disciplinary actions.

12 (l) Applicability. This Section does not apply to a
13 municipality with more than 1,000,000 inhabitants.

14 (Source: P.A. 102-188, eff. 1-1-22.)

15 (65 ILCS 5/10-2.1-6.3)

16 Sec. 10-2.1-6.3. Original appointments; full-time fire
17 department.

18 (a) Applicability. Unless a commission elects to follow
19 the provisions of Section 10-2.1-6.4, this Section shall apply
20 to all original appointments to an affected full-time fire
21 department. Existing registers of eligibles shall continue to
22 be valid until their expiration dates, or up to a maximum of 2
23 years after August 4, 2011 (the effective date of Public Act
24 97-251).

25 Notwithstanding any statute, ordinance, rule, or other law

1 to the contrary, all original appointments to an affected
2 department to which this Section applies shall be administered
3 in the manner provided for in this Section. Provisions of the
4 Illinois Municipal Code, municipal ordinances, and rules
5 adopted pursuant to such authority and other laws relating to
6 initial hiring of firefighters in affected departments shall
7 continue to apply to the extent they are compatible with this
8 Section, but in the event of a conflict between this Section
9 and any other law, this Section shall control.

10 A home rule or non-home rule municipality may not
11 administer its fire department process for original
12 appointments in a manner that is less stringent than this
13 Section. This Section is a limitation under subsection (i) of
14 Section 6 of Article VII of the Illinois Constitution on the
15 concurrent exercise by home rule units of the powers and
16 functions exercised by the State.

17 A municipality that is operating under a court order or
18 consent decree regarding original appointments to a full-time
19 fire department before August 4, 2011 (the effective date of
20 Public Act 97-251) is exempt from the requirements of this
21 Section for the duration of the court order or consent decree.

22 Notwithstanding any other provision of this subsection
23 (a), this Section does not apply to a municipality with more
24 than 1,000,000 inhabitants.

25 (b) Original appointments. All original appointments made
26 to an affected fire department shall be made from a register of

1 eligibles established in accordance with the processes
2 established by this Section. Only persons who meet or exceed
3 the performance standards required by this Section shall be
4 placed on a register of eligibles for original appointment to
5 an affected fire department.

6 Whenever an appointing authority authorizes action to hire
7 a person to perform the duties of a firefighter or to hire a
8 firefighter-paramedic to fill a position that is a new
9 position or vacancy due to resignation, discharge, promotion,
10 death, the granting of a disability or retirement pension, or
11 any other cause, the appointing authority shall appoint to
12 that position the person with the highest ranking on the final
13 eligibility list. If the appointing authority has reason to
14 conclude that the highest ranked person fails to meet the
15 minimum standards for the position or if the appointing
16 authority believes an alternate candidate would better serve
17 the needs of the department, then the appointing authority has
18 the right to pass over the highest ranked person and appoint
19 either: (i) any person who has a ranking in the top 5% of the
20 register of eligibles or (ii) any person who is among the top 5
21 highest ranked persons on the list of eligibles if the number
22 of people who have a ranking in the top 5% of the register of
23 eligibles is less than 5 people.

24 Any candidate may pass on an appointment once without
25 losing his or her position on the register of eligibles. Any
26 candidate who passes a second time may be removed from the list

1 by the appointing authority provided that such action shall
2 not prejudice a person's opportunities to participate in
3 future examinations, including an examination held during the
4 time a candidate is already on the municipality's register of
5 eligibles.

6 The sole authority to issue certificates of appointment
7 shall be vested in the board of fire and police commissioners.
8 All certificates of appointment issued to any officer or
9 member of an affected department shall be signed by the
10 chairperson and secretary, respectively, of the board upon
11 appointment of such officer or member to the affected
12 department by action of the board. After being selected from
13 the register of eligibles to fill a vacancy in the affected
14 department, each appointee shall be presented with his or her
15 certificate of appointment on the day on which he or she is
16 sworn in as a classified member of the affected department.
17 Firefighters who were not issued a certificate of appointment
18 when originally appointed shall be provided with a certificate
19 within 10 days after making a written request to the
20 chairperson of the board of fire and police commissioners.
21 Each person who accepts a certificate of appointment and
22 successfully completes his or her probationary period shall be
23 enrolled as a firefighter and as a regular member of the fire
24 department.

25 For the purposes of this Section, "firefighter" means any
26 person who has been prior to, on, or after August 4, 2011 (the

1 effective date of Public Act 97-251) appointed to a fire
2 department or fire protection district, or employed by a State
3 university, unit of local government, or Emergency Medical
4 Services (EMS) System, and sworn or commissioned or employed
5 to perform (i) firefighter duties, (ii) ~~or~~ paramedic,
6 emergency medical technician (EMT), emergency medical
7 technician-basic (EMT-B), emergency medical
8 technician-intermediate (EMT-I), or advanced emergency medical
9 technician (A-EMT) duties, (iii) or both, except that the
10 following persons are not included: part-time firefighters;
11 auxiliary, reserve, or voluntary firefighters, including
12 paid-on-call firefighters; clerks and dispatchers or other
13 civilian employees of a fire department or fire protection
14 district who are not routinely expected to perform firefighter
15 duties; and elected officials.

16 (c) Qualification for placement on register of eligibles.
17 The purpose of establishing a register of eligibles is to
18 identify applicants who possess and demonstrate the mental
19 aptitude and physical ability to perform the duties required
20 of members of the fire department in order to provide the
21 highest quality of service to the public. To this end, all
22 applicants for original appointment to an affected fire
23 department shall be subject to examination and testing which
24 shall be public, competitive, and open to all applicants
25 unless the municipality shall by ordinance limit applicants to
26 residents of the municipality, county or counties in which the

1 municipality is located, State, or nation. Any examination and
2 testing procedure utilized under subsection (e) of this
3 Section shall be supported by appropriate validation evidence
4 and shall comply with all applicable State and federal laws.
5 Municipalities may establish educational, emergency medical
6 service licensure, and other prerequisites for participation
7 in an examination or for hire as a firefighter. Any
8 municipality may charge a fee to cover the costs of the
9 application process.

10 Residency requirements in effect at the time an individual
11 enters the fire service of a municipality cannot be made more
12 restrictive for that individual during his or her period of
13 service for that municipality, or be made a condition of
14 promotion, except for the rank or position of fire chief and
15 for no more than 2 positions that rank immediately below that
16 of the chief rank which are appointed positions pursuant to
17 the Fire Department Promotion Act.

18 No person who is 35 years of age or older shall be eligible
19 to take an examination for a position as a firefighter unless
20 the person has had previous employment status as a firefighter
21 in the regularly constituted fire department of the
22 municipality, except as provided in this Section. The age
23 limitation does not apply to:

- 24 (1) any person previously employed as a full-time
25 firefighter in a regularly constituted fire department of
26 (i) any municipality or fire protection district located

1 in Illinois, (ii) a fire protection district whose
2 obligations were assumed by a municipality under Section
3 21 of the Fire Protection District Act, or (iii) a
4 municipality whose obligations were taken over by a fire
5 protection district,

6 (2) any person who has served a municipality as a
7 regularly enrolled volunteer, paid-on-call, or part-time
8 firefighter, or

9 (3) any person who turned 35 while serving as a member
10 of the active or reserve components of any of the branches
11 of the Armed Forces of the United States or the National
12 Guard of any state, whose service was characterized as
13 honorable or under honorable, if separated from the
14 military, and is currently under the age of 40.

15 No person who is under 21 years of age shall be eligible
16 for employment as a firefighter.

17 No applicant shall be examined concerning his or her
18 political or religious opinions or affiliations. The
19 examinations shall be conducted by the commissioners of the
20 municipality or their designees and agents.

21 No municipality shall require that any firefighter
22 appointed to the lowest rank serve a probationary employment
23 period of longer than one year of actual active employment,
24 which may exclude periods of training, or injury or illness
25 leaves, including duty related leave, in excess of 30 calendar
26 days. Notwithstanding anything to the contrary in this

1 Section, the probationary employment period limitation may be
2 extended for a firefighter who is required, as a condition of
3 employment, to be a licensed paramedic, during which time the
4 sole reason that a firefighter may be discharged without a
5 hearing is for failing to meet the requirements for paramedic
6 licensure.

7 In the event that any applicant who has been found
8 eligible for appointment and whose name has been placed upon
9 the final eligibility register provided for in this Section
10 has not been appointed to a firefighter position within one
11 year after the date of his or her physical ability
12 examination, the commission may cause a second examination to
13 be made of that applicant's physical ability prior to his or
14 her appointment. If, after the second examination, the
15 physical ability of the applicant shall be found to be less
16 than the minimum standard fixed by the rules of the
17 commission, the applicant shall not be appointed. The
18 applicant's name may be retained upon the register of
19 candidates eligible for appointment and when next reached for
20 certification and appointment that applicant may be again
21 examined as provided in this Section, and if the physical
22 ability of that applicant is found to be less than the minimum
23 standard fixed by the rules of the commission, the applicant
24 shall not be appointed, and the name of the applicant shall be
25 removed from the register.

26 (d) Notice, examination, and testing components. Notice of

1 the time, place, general scope, merit criteria for any
2 subjective component, and fee of every examination shall be
3 given by the commission, by a publication at least 2 weeks
4 preceding the examination: (i) in one or more newspapers
5 published in the municipality, or if no newspaper is published
6 therein, then in one or more newspapers with a general
7 circulation within the municipality, or (ii) on the
8 municipality's Internet website. Additional notice of the
9 examination may be given as the commission shall prescribe.

10 The examination and qualifying standards for employment of
11 firefighters shall be based on: mental aptitude, physical
12 ability, preferences, moral character, and health. The mental
13 aptitude, physical ability, and preference components shall
14 determine an applicant's qualification for and placement on
15 the final register of eligibles. The examination may also
16 include a subjective component based on merit criteria as
17 determined by the commission. Scores from the examination must
18 be made available to the public.

19 (e) Mental aptitude. No person who does not possess at
20 least a high school diploma or an equivalent high school
21 education shall be placed on a register of eligibles.
22 Examination of an applicant's mental aptitude shall be based
23 upon a written examination. The examination shall be practical
24 in character and relate to those matters that fairly test the
25 capacity of the persons examined to discharge the duties
26 performed by members of a fire department. Written

1 examinations shall be administered in a manner that ensures
2 the security and accuracy of the scores achieved.

3 (f) Physical ability. All candidates shall be required to
4 undergo an examination of their physical ability to perform
5 the essential functions included in the duties they may be
6 called upon to perform as a member of a fire department. For
7 the purposes of this Section, essential functions of the job
8 are functions associated with duties that a firefighter may be
9 called upon to perform in response to emergency calls. The
10 frequency of the occurrence of those duties as part of the fire
11 department's regular routine shall not be a controlling factor
12 in the design of examination criteria or evolutions selected
13 for testing. These physical examinations shall be open,
14 competitive, and based on industry standards designed to test
15 each applicant's physical abilities in the following
16 dimensions:

17 (1) Muscular strength to perform tasks and evolutions
18 that may be required in the performance of duties
19 including grip strength, leg strength, and arm strength.
20 Tests shall be conducted under anaerobic as well as
21 aerobic conditions to test both the candidate's speed and
22 endurance in performing tasks and evolutions. Tasks tested
23 may be based on standards developed, or approved, by the
24 local appointing authority.

25 (2) The ability to climb ladders, operate from
26 heights, walk or crawl in the dark along narrow and uneven

1 surfaces, and operate in proximity to hazardous
2 environments.

3 (3) The ability to carry out critical, time-sensitive,
4 and complex problem solving during physical exertion in
5 stressful and hazardous environments. The testing
6 environment may be hot and dark with tightly enclosed
7 spaces, flashing lights, sirens, and other distractions.

8 The tests utilized to measure each applicant's
9 capabilities in each of these dimensions may be tests based on
10 industry standards currently in use or equivalent tests
11 approved by the Joint Labor-Management Committee of the Office
12 of the State Fire Marshal.

13 Physical ability examinations administered under this
14 Section shall be conducted with a reasonable number of
15 proctors and monitors, open to the public, and subject to
16 reasonable regulations of the commission.

17 (g) Scoring of examination components. Appointing
18 authorities may create a preliminary eligibility register. A
19 person shall be placed on the list based upon his or her
20 passage of the written examination or the passage of the
21 written examination and the physical ability component.
22 Passage of the written examination means attaining the minimum
23 score set by the commission. Minimum scores should be set by
24 the commission so as to demonstrate a candidate's ability to
25 perform the essential functions of the job. The minimum score
26 set by the commission shall be supported by appropriate

1 validation evidence and shall comply with all applicable State
2 and federal laws. The appointing authority may conduct the
3 physical ability component and any subjective components
4 subsequent to the posting of the preliminary eligibility
5 register.

6 The examination components for an initial eligibility
7 register shall be graded on a 100-point scale. A person's
8 position on the list shall be determined by the following: (i)
9 the person's score on the written examination, (ii) the person
10 successfully passing the physical ability component, and (iii)
11 the person's results on any subjective component as described
12 in subsection (d).

13 In order to qualify for placement on the final eligibility
14 register, an applicant's score on the written examination,
15 before any applicable preference points or subjective points
16 are applied, shall be at or above the minimum score as set by
17 the commission. The local appointing authority may prescribe
18 the score to qualify for placement on the final eligibility
19 register, but the score shall not be less than the minimum
20 score set by the commission.

21 The commission shall prepare and keep a register of
22 persons whose total score is not less than the minimum score
23 for passage and who have passed the physical ability
24 examination. These persons shall take rank upon the register
25 as candidates in the order of their relative excellence based
26 on the highest to the lowest total points scored on the mental

1 aptitude, subjective component, and preference components of
2 the test administered in accordance with this Section. No more
3 than 60 days after each examination, an initial eligibility
4 list shall be posted by the commission. The list shall include
5 the final grades of the candidates without reference to
6 priority of the time of examination and subject to claim for
7 preference credit.

8 Commissions may conduct additional examinations, including
9 without limitation a polygraph test, after a final eligibility
10 register is established and before it expires with the
11 candidates ranked by total score without regard to date of
12 examination. No more than 60 days after each examination, an
13 initial eligibility list shall be posted by the commission
14 showing the final grades of the candidates without reference
15 to priority of time of examination and subject to claim for
16 preference credit.

17 (h) Preferences. The following are preferences:

18 (1) Veteran preference. Persons who were engaged in
19 the military service of the United States for a period of
20 at least one year of active duty and who were honorably
21 discharged therefrom, or who are now or have been members
22 on inactive or reserve duty in such military or naval
23 service, shall be preferred for appointment to and
24 employment with the fire department of an affected
25 department.

26 (2) Fire cadet preference. Persons who have

1 successfully completed 2 years of study in fire techniques
2 or cadet training within a cadet program established under
3 the rules of the Joint Labor and Management Committee
4 (JLMC), as defined in Section 50 of the Fire Department
5 Promotion Act, may be preferred for appointment to and
6 employment with the fire department.

7 (3) Educational preference. Persons who have
8 successfully obtained an associate's degree in the field
9 of fire service or emergency medical services, or a
10 bachelor's degree from an accredited college or university
11 may be preferred for appointment to and employment with
12 the fire department.

13 (4) Paramedic preference. Persons who have obtained a
14 license as a paramedic shall be preferred for appointment
15 to and employment with the fire department of an affected
16 department providing emergency medical services.

17 (5) Experience preference. All persons employed by a
18 municipality who have been paid-on-call or part-time
19 certified Firefighter II, State of Illinois or nationally
20 licensed EMT, EMT-I, A-EMT, or any combination of those
21 capacities shall be awarded 0.5 point for each year of
22 successful service in one or more of those capacities, up
23 to a maximum of 5 points. Certified Firefighter III and
24 State of Illinois or nationally licensed paramedics shall
25 be awarded one point per year up to a maximum of 5 points.
26 Applicants from outside the municipality who were employed

1 as full-time firefighters or firefighter-paramedics by a
2 fire protection district or another municipality for at
3 least 2 years shall be awarded 5 experience preference
4 points. These additional points presuppose a rating scale
5 totaling 100 points available for the eligibility list. If
6 more or fewer points are used in the rating scale for the
7 eligibility list, the points awarded under this subsection
8 shall be increased or decreased by a factor equal to the
9 total possible points available for the examination
10 divided by 100.

11 Upon request by the commission, the governing body of
12 the municipality or in the case of applicants from outside
13 the municipality the governing body of any fire protection
14 district or any other municipality shall certify to the
15 commission, within 10 days after the request, the number
16 of years of successful paid-on-call, part-time, or
17 full-time service of any person. A candidate may not
18 receive the full amount of preference points under this
19 subsection if the amount of points awarded would place the
20 candidate before a veteran on the eligibility list. If
21 more than one candidate receiving experience preference
22 points is prevented from receiving all of their points due
23 to not being allowed to pass a veteran, the candidates
24 shall be placed on the list below the veteran in rank order
25 based on the totals received if all points under this
26 subsection were to be awarded. Any remaining ties on the

1 list shall be determined by lot.

2 (6) Residency preference. Applicants whose principal
3 residence is located within the fire department's
4 jurisdiction shall be preferred for appointment to and
5 employment with the fire department.

6 (7) Additional preferences. Up to 5 additional
7 preference points may be awarded for unique categories
8 based on an applicant's experience or background as
9 identified by the commission.

10 (7.5) Apprentice preferences. A person who has
11 performed fire suppression service for a department as a
12 firefighter apprentice and otherwise meets the
13 qualifications for original appointment as a firefighter
14 specified in this Section is eligible to be awarded up to
15 20 preference points. To qualify for preference points, an
16 applicant shall have completed a minimum of 600 hours of
17 fire suppression work on a regular shift for the affected
18 fire department over a 12-month period. The fire
19 suppression work must be in accordance with Section
20 10-2.1-4 of this Division and the terms established by a
21 Joint Apprenticeship Committee included in a collective
22 bargaining agreement agreed between the employer and its
23 certified bargaining agent. An eligible applicant must
24 apply to the Joint Apprenticeship Committee for preference
25 points under this item. The Joint Apprenticeship Committee
26 shall evaluate the merit of the applicant's performance,

1 determine the preference points to be awarded, and certify
2 the amount of points awarded to the commissioners. The
3 commissioners may add the certified preference points to
4 the final grades achieved by the applicant on the other
5 components of the examination.

6 (8) Scoring of preferences. The commission may give
7 preference for original appointment to persons designated
8 in item (1) by adding to the final grade that they receive
9 5 points for the recognized preference achieved. The
10 commission may give preference for original appointment to
11 persons designated in item (7.5) by adding to the final
12 grade the amount of points designated by the Joint
13 Apprenticeship Committee as defined in item (7.5). The
14 commission shall determine the number of preference points
15 for each category, except items (1) and (7.5). The number
16 of preference points for each category shall range from 0
17 to 5, except item (7.5). In determining the number of
18 preference points, the commission shall prescribe that if
19 a candidate earns the maximum number of preference points
20 in all categories except item (7.5), that number may not
21 be less than 10 nor more than 30. The commission shall give
22 preference for original appointment to persons designated
23 in items (2) through (7) by adding the requisite number of
24 points to the final grade for each recognized preference
25 achieved. The numerical result thus attained shall be
26 applied by the commission in determining the final

1 eligibility list and appointment from the eligibility
2 list. The local appointing authority may prescribe the
3 total number of preference points awarded under this
4 Section, but the total number of preference points, except
5 item (7.5), shall not be less than 10 points or more than
6 30 points. Apprentice preference points may be added in
7 addition to other preference points awarded by the
8 commission.

9 No person entitled to any preference shall be required to
10 claim the credit before any examination held under the
11 provisions of this Section, but the preference may be given
12 after the posting or publication of the initial eligibility
13 list or register at the request of a person entitled to a
14 credit before any certification or appointments are made from
15 the eligibility register, upon the furnishing of verifiable
16 evidence and proof of qualifying preference credit. Candidates
17 who are eligible for preference credit may make a claim in
18 writing within 10 days after the posting of the initial
19 eligibility list, or the claim may be deemed waived. Final
20 eligibility registers may be established after the awarding of
21 verified preference points. However, apprentice preference
22 credit earned subsequent to the establishment of the final
23 eligibility register may be applied to the applicant's score
24 upon certification by the Joint Apprenticeship Committee to
25 the commission and the rank order of candidates on the final
26 eligibility register shall be adjusted accordingly. All

1 employment shall be subject to the commission's initial hire
2 background review, including, but not limited to, criminal
3 history, employment history, moral character, oral
4 examination, and medical and psychological examinations, all
5 on a pass-fail basis. The medical and psychological
6 examinations must be conducted last, and may only be performed
7 after a conditional offer of employment has been extended.

8 Any person placed on an eligibility list who exceeds the
9 age requirement before being appointed to a fire department
10 shall remain eligible for appointment until the list is
11 abolished, or his or her name has been on the list for a period
12 of 2 years. No person who has attained the age of 35 years
13 shall be inducted into a fire department, except as otherwise
14 provided in this Section.

15 The commission shall strike off the names of candidates
16 for original appointment after the names have been on the list
17 for more than 2 years.

18 (i) Moral character. No person shall be appointed to a
19 fire department unless he or she is a person of good character;
20 not a habitual drunkard, a gambler, or a person who has been
21 convicted of a felony or a crime involving moral turpitude.
22 However, no person shall be disqualified from appointment to
23 the fire department because of the person's record of
24 misdemeanor convictions except those under Sections 11-6,
25 11-7, 11-9, 11-14, 11-15, 11-17, 11-18, 11-19, 12-2, 12-6,
26 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1,

1 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, 32-8, and paragraphs
2 (1), (6), and (8) of subsection (a) of Section 24-1 of the
3 Criminal Code of 1961 or the Criminal Code of 2012, or arrest
4 for any cause without conviction thereon. Any such person who
5 is in the department may be removed on charges brought for
6 violating this subsection and after a trial as hereinafter
7 provided.

8 A classifiable set of the fingerprints of every person who
9 is offered employment as a certificated member of an affected
10 fire department whether with or without compensation, shall be
11 furnished to the Illinois State Police and to the Federal
12 Bureau of Investigation by the commission.

13 Whenever a commission is authorized or required by law to
14 consider some aspect of criminal history record information
15 for the purpose of carrying out its statutory powers and
16 responsibilities, then, upon request and payment of fees in
17 conformance with the requirements of Section 2605-400 of the
18 Illinois State Police Law of the Civil Administrative Code of
19 Illinois, the Illinois State Police is authorized to furnish,
20 pursuant to positive identification, the information contained
21 in State files as is necessary to fulfill the request.

22 (j) Temporary appointments. In order to prevent a stoppage
23 of public business, to meet extraordinary exigencies, or to
24 prevent material impairment of the fire department, the
25 commission may make temporary appointments, to remain in force
26 only until regular appointments are made under the provisions

1 of this Division, but never to exceed 60 days. No temporary
2 appointment of any one person shall be made more than twice in
3 any calendar year.

4 (k) A person who knowingly divulges or receives test
5 questions or answers before a written examination, or
6 otherwise knowingly violates or subverts any requirement of
7 this Section, commits a violation of this Section and may be
8 subject to charges for official misconduct.

9 A person who is the knowing recipient of test information
10 in advance of the examination shall be disqualified from the
11 examination or discharged from the position to which he or she
12 was appointed, as applicable, and otherwise subjected to
13 disciplinary actions.

14 (Source: P.A. 101-489, eff. 8-23-19; 102-375, eff. 8-13-21;
15 102-538, eff. 8-20-21; 102-558, eff. 8-20-21; 102-813, eff.
16 5-13-22.)

17 (65 ILCS 5/10-2.1-6.4)

18 Sec. 10-2.1-6.4. Alternative procedure; original
19 appointment; full-time firefighter.

20 (a) Authority. The Joint Labor and Management Committee
21 (JLMC), as defined in Section 50 of the Fire Department
22 Promotion Act, may establish a community outreach program to
23 market the profession of firefighter and firefighter-paramedic
24 so as to ensure the pool of applicants recruited is of broad
25 diversity and the highest quality. Nothing in this Section

1 requires that the Joint Labor and Management Committee
2 establish or operate the community outreach program or master
3 register of eligibles, or to contract with a testing agency to
4 establish or operate such program or register, unless the
5 Joint Labor and Management Committee chooses to do so.

6 For the purposes of this Section, "firefighter" means any
7 person who has been prior to, on, or after the effective date
8 of this amendatory Act of the 97th General Assembly appointed
9 to a fire department or fire protection district, or employed
10 by a State university, unit of local government, or Emergency
11 Medical Services (EMS) System, and sworn or commissioned or
12 employed to perform (i) firefighter duties, (ii) ~~or~~ paramedic,
13 emergency medical technician (EMT), emergency medical
14 technician-basic (EMT-B), emergency medical
15 technician-intermediate (EMT-I), or advanced emergency medical
16 technician (A-EMT) duties, (iii) or both, except that the
17 following persons are not included: part-time firefighters;
18 auxiliary, reserve, or voluntary firefighters, including
19 paid-on-call firefighters; clerks and dispatchers or other
20 civilian employees of a fire department or fire protection
21 district who are not routinely expected to perform firefighter
22 duties; and elected officials.

23 (b) Eligibility. Persons eligible for placement on the
24 master register of eligibles shall consist of the following:

25 Persons who have participated in and received a
26 passing total score on the mental aptitude, physical

1 ability, and preference components of a regionally
2 administered test based on the standards described in this
3 Section. The standards for administering these tests and
4 the minimum passing score required for placement on this
5 list shall be as is set forth in this Section.

6 Qualified candidates shall be listed on the master
7 register of eligibles in highest to lowest rank order
8 based upon their test scores without regard to their date
9 of examination. Candidates listed on the master register
10 of eligibles shall be eligible for appointment for 2 years
11 after the date of the certification of their final score
12 on the register without regard to the date of their
13 examination. After 2 years, the candidate's name shall be
14 struck from the list.

15 Any person currently employed as a full-time member of
16 a fire department or any person who has experienced a
17 non-voluntary (and non-disciplinary) separation from the
18 active workforce due to a reduction in the number of
19 departmental officers, who was appointed pursuant to
20 Division 1 of Article 10 of the Illinois Municipal Code,
21 Division 2.1 of Article 10 of the Illinois Municipal Code,
22 or the Fire Protection District Act, and who during the
23 previous 24 months participated in and received a passing
24 score on the physical ability and mental aptitude
25 components of the test may request that his or her name be
26 added to the master register. Any eligible person may be

1 offered employment by a local commission under the same
2 procedures as provided by this Section except that the
3 apprenticeship period may be waived and the applicant may
4 be immediately issued a certificate of original
5 appointment by the local commission.

6 (c) Qualifications for placement on register of eligibles.
7 The purpose for establishing a master register of eligibles
8 shall be to identify applicants who possess and demonstrate
9 the mental aptitude and physical ability to perform the duties
10 required of members of the fire department in order to provide
11 the highest quality of service to the public. To this end, all
12 applicants for original appointment to an affected fire
13 department through examination conducted by the Joint Labor
14 and Management Committee (JLMC) shall be subject to
15 examination and testing which shall be public, competitive,
16 and open to all applicants. Any examination and testing
17 procedure utilized under subsection (e) of this Section shall
18 be supported by appropriate validation evidence and shall
19 comply with all applicable state and federal laws. Any
20 subjective component of the testing must be administered by
21 certified assessors. All qualifying and disqualifying factors
22 applicable to examination processes for local commissions in
23 this amendatory Act of the 97th General Assembly shall be
24 applicable to persons participating in Joint Labor and
25 Management Committee examinations unless specifically provided
26 otherwise in this Section.

1 Notice of the time, place, general scope, and fee of every
2 JLMC examination shall be given by the JLMC or designated
3 testing agency, as applicable, by a publication at least 30
4 days preceding the examination, in one or more newspapers
5 published in the region, or if no newspaper is published
6 therein, then in one or more newspapers with a general
7 circulation within the region. The JLMC may publish the notice
8 on the JLMC's Internet website. Additional notice of the
9 examination may be given as the JLMC shall prescribe.

10 (d) Examination and testing components for placement on
11 register of eligibles. The examination and qualifying
12 standards for placement on the master register of eligibles
13 and employment shall be based on the following components:
14 mental aptitude, physical ability, preferences, moral
15 character, and health. The mental aptitude, physical ability,
16 and preference components shall determine an applicant's
17 qualification for and placement on the master register of
18 eligibles. The consideration of an applicant's general moral
19 character and health shall be administered on a pass-fail
20 basis after a conditional offer of employment is made by a
21 local commission.

22 (e) Mental aptitude. Examination of an applicant's mental
23 aptitude shall be based upon written examination and an
24 applicant's prior experience demonstrating an aptitude for and
25 commitment to service as a member of a fire department.
26 Written examinations shall be practical in character and

1 relate to those matters that fairly test the capacity of the
2 persons examined to discharge the duties performed by members
3 of a fire department. Written examinations shall be
4 administered in a manner that ensures the security and
5 accuracy of the scores achieved. Any subjective component of
6 the testing must be administered by certified assessors. No
7 person who does not possess a high school diploma or an
8 equivalent high school education shall be placed on a register
9 of eligibles. Local commissions may establish educational,
10 emergency medical service licensure, and other pre-requisites
11 for hire within their jurisdiction.

12 (f) Physical ability. All candidates shall be required to
13 undergo an examination of their physical ability to perform
14 the essential functions included in the duties they may be
15 called upon to perform as a member of a fire department. For
16 the purposes of this Section, essential functions of the job
17 are functions associated with duties that a firefighter may be
18 called upon to perform in response to emergency calls. The
19 frequency of the occurrence of those duties as part of the fire
20 department's regular routine shall not be a controlling factor
21 in the design of examination criteria or evolutions selected
22 for testing. These physical examinations shall be open,
23 competitive, and based on industry standards designed to test
24 each applicant's physical abilities in each of the following
25 dimensions:

26 (1) Muscular strength to perform tasks and evolutions

1 that may be required in the performance of duties
2 including grip strength, leg strength, and arm strength.
3 Tests shall be conducted under anaerobic as well as
4 aerobic conditions to test both the candidate's speed and
5 endurance in performing tasks and evolutions. Tasks tested
6 are to be based on industry standards developed by the
7 JLMC by rule.

8 (2) The ability to climb ladders, operate from
9 heights, walk or crawl in the dark along narrow and uneven
10 surfaces, and operate in proximity to hazardous
11 environments.

12 (3) The ability to carry out critical, time-sensitive,
13 and complex problem solving during physical exertion in
14 stressful and hazardous environments. The testing
15 environment may be hot and dark with tightly enclosed
16 spaces, flashing lights, sirens, and other distractions.

17 The tests utilized to measure each applicant's
18 capabilities in each of these dimensions may be tests based on
19 industry standards currently in use or equivalent tests
20 approved by the Joint Labor-Management Committee of the Office
21 of the State Fire Marshal.

22 (g) Scoring of examination components. The examination
23 components shall be graded on a 100-point scale. A person's
24 position on the master register of eligibles shall be
25 determined by the person's score on the written examination,
26 the person successfully passing the physical ability

1 component, and the addition of any applicable preference
2 points.

3 Applicants who have achieved at least the minimum score as
4 set by the JLMC, and who successfully pass the physical
5 ability examination shall be placed on the initial eligibility
6 register. Minimum scores should be set by the commission so as
7 to demonstrate a candidate's ability to perform the essential
8 functions of the job. The minimum score set by the commission
9 shall be supported by appropriate validation evidence and
10 shall comply with all applicable State and federal laws.
11 Applicable preference points shall be added to the written
12 examination scores for all applicants who qualify for the
13 initial eligibility register. Applicants who score at or above
14 the minimum passing score as set by the JLMC, including any
15 applicable preference points, shall be placed on the master
16 register of eligibles by the JLMC.

17 These persons shall take rank upon the register as
18 candidates in the order of their relative excellence based on
19 the highest to the lowest total points scored on the mental
20 aptitude and physical ability components, plus any applicable
21 preference points requested and verified by the JLMC, or
22 approved testing agency.

23 No more than 60 days after each examination, a revised
24 master register of eligibles shall be posted by the JLMC
25 showing the final grades of the candidates without reference
26 to priority of time of examination.

1 (h) Preferences. The board shall give military, education,
2 and experience preference points to those who qualify for
3 placement on the master register of eligibles, on the same
4 basis as provided for examinations administered by a local
5 commission.

6 No person entitled to preference or credit shall be
7 required to claim the credit before any examination held under
8 the provisions of this Section. The preference shall be given
9 after the posting or publication of the applicant's initial
10 score at the request of the person before finalizing the
11 scores from all applicants taking part in a JLMC examination.
12 Candidates who are eligible for preference credit shall make a
13 claim in writing within 10 days after the posting of the
14 initial scores from any JLMC test or the claim shall be deemed
15 waived. Once preference points are awarded, the candidates
16 shall be certified to the master register in accordance with
17 their final score including preference points.

18 (i) Firefighter apprentice and firefighter-paramedic
19 apprentice. The employment of an applicant to an apprentice
20 position (including a currently employed full-time member of a
21 fire department whose apprenticeship may be reduced or waived)
22 shall be subject to the applicant passing the moral character
23 standards and health examinations of the local commission. In
24 addition, a local commission may require as a condition of
25 employment that the applicant demonstrate current physical
26 ability by either passing the local commission's approved

1 physical ability examination, or by presenting proof of
2 participating in and receiving a passing score on the physical
3 ability component of a JLMC test within a period of up to 12
4 months before the date of the conditional offer of employment.
5 Applicants shall be subject to the local commission's initial
6 hire background review including criminal history, employment
7 history, moral character, oral examination, and medical
8 examinations which may include polygraph, psychological, and
9 drug screening components, all on a pass-fail basis. The
10 medical examinations must be conducted last, and may only be
11 performed after a conditional offer of employment has been
12 extended.

13 (j) Selection from list. Any municipality or fire
14 protection district that is a party to an intergovernmental
15 agreement under the terms of which persons have been tested
16 for placement on the master register of eligibles shall be
17 entitled to offer employment to any person on the list
18 irrespective of their ranking on the list. The offer of
19 employment shall be to the position of firefighter apprentice
20 or firefighter-paramedic apprentice.

21 Applicants passing these tests may be employed as a
22 firefighter apprentice or a firefighter-paramedic apprentice
23 who shall serve an apprenticeship period of 12 months or less
24 according to the terms and conditions of employment as the
25 employing municipality or district offers, or as provided for
26 under the terms of any collective bargaining agreement then in

1 effect. The apprenticeship period is separate from the
2 probationary period.

3 Service during the apprenticeship period shall be on a
4 probationary basis. During the apprenticeship period, the
5 apprentice's training and performance shall be monitored and
6 evaluated by a Joint Apprenticeship Committee.

7 The Joint Apprenticeship Committee shall consist of 4
8 members who shall be regular members of the fire department
9 with at least 10 years of full-time work experience as a
10 firefighter or firefighter-paramedic. The fire chief and the
11 president of the exclusive bargaining representative
12 recognized by the employer shall each appoint 2 members to the
13 Joint Apprenticeship Committee. In the absence of an exclusive
14 collective bargaining representative, the chief shall appoint
15 the remaining 2 members who shall be from the ranks of company
16 officer and firefighter with at least 10 years of work
17 experience as a firefighter or firefighter-paramedic. In the
18 absence of a sufficient number of qualified firefighters, the
19 Joint Apprenticeship Committee members shall have the amount
20 of experience and the type of qualifications as is reasonable
21 given the circumstances of the fire department. In the absence
22 of a full-time member in a rank between chief and the highest
23 rank in a bargaining unit, the Joint Apprenticeship Committee
24 shall be reduced to 2 members, one to be appointed by the chief
25 and one by the union president, if any. If there is no
26 exclusive bargaining representative, the chief shall appoint

1 the second member of the Joint Apprenticeship Committee from
2 among qualified members in the ranks of company officer and
3 below. Before the conclusion of the apprenticeship period, the
4 Joint Apprenticeship Committee shall meet to consider the
5 apprentice's progress and performance and vote to retain the
6 apprentice as a member of the fire department or to terminate
7 the apprenticeship. If 3 of the 4 members of the Joint
8 Apprenticeship Committee affirmatively vote to retain the
9 apprentice (if a 2 member Joint Apprenticeship Committee
10 exists, then both members must affirmatively vote to retain
11 the apprentice), the local commission shall issue the
12 apprentice a certificate of original appointment to the fire
13 department.

14 (k) A person who knowingly divulges or receives test
15 questions or answers before a written examination, or
16 otherwise knowingly violates or subverts any requirement of
17 this Section, commits a violation of this Section and may be
18 subject to charges for official misconduct.

19 A person who is the knowing recipient of test information
20 in advance of the examination shall be disqualified from the
21 examination or discharged from the position to which he or she
22 was appointed, as applicable, and otherwise subjected to
23 disciplinary actions.

24 (l) Applicability. This Section does not apply to a
25 municipality with more than 1,000,000 inhabitants.

26 (Source: P.A. 102-188, eff. 1-1-22.)