

1 AN ACT concerning fire protection.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Fire Protection District Act is amended by
5 changing Section 4a as follows:

6 (70 ILCS 705/4a) (from Ch. 127 1/2, par. 24.1)

7 Sec. 4a. Change to elected board of trustees; petition;
8 election; ballot; nomination and election of trustees. Any fire
9 protection district organized under this Act may determine, in
10 either manner provided in the following items (1) and (2) of
11 this Section, to have an elected, rather than an appointed,
12 board of trustees.

13 (1) If the district lies wholly within a single
14 township but does not also lie wholly within a
15 municipality, the township board of trustees may
16 determine, by ordinance, to have an elected board of
17 trustees.

18 (2) Upon presentation to the board of trustees of a
19 petition, signed by not less than 10% of the electors of
20 the district, requesting that a proposition for the
21 election of trustees be submitted to the electors of the
22 district, the secretary of the board of trustees shall
23 certify the proposition to the appropriate election
24 authorities who shall submit the proposition at a regular
25 election in accordance with the general election law. The
26 general election law shall apply to and govern such
27 election. The proposition shall be in substantially the
28 following form:

29 -----
30 Shall the trustees of..... YES
31 Fire Protection District be -----
32 elected, rather than appointed? NO

1 -----

2 If a majority of the votes cast on such proposition are
3 in the affirmative, the trustees of the district shall
4 thereafter be elected as provided by this Section.

5 At the next regular election for trustees as provided by
6 the general election law, a district that has approved by
7 ordinance or referendum to have its trustees elected rather
8 than appointed shall elect 3, 5, or 7 trustees, as previously
9 determined by the organization of the district or as increased
10 under Section 4.01 or 4.02. The initial elected trustees shall
11 be elected for 2, 4, and 6 year terms. In a district with 3
12 trustees, one trustee shall be elected for a term of 2 years,
13 one for a term of 4 years, and one for a term of 6 years. In a
14 district with 5 trustees, 2 shall be elected for terms of 2
15 years, 2 for terms of 4 years, and one for a term of 6 years. In
16 a district with 7 trustees, 3 shall be elected for terms of 2
17 years, 2 for terms of 4 years, and 2 for terms of 6 years.
18 Except as otherwise provided in Section 2A-54 of the Election
19 Code, the term of each elected trustee shall commence on the
20 first Monday of the month following the month of his election
21 and until his successor is elected and qualified. The length of
22 the terms of the trustees first elected shall be determined by
23 lot at their first meeting. Except as otherwise provided in
24 Section 2A-54 of the Election Code, thereafter, each trustee
25 shall be elected to serve for a term of 6 years commencing on
26 the first Monday of the month following the month of his
27 election and until his successor is elected and qualified.

28 No party designation shall appear on the ballot for
29 election of trustees. The provisions of the general election
30 law shall apply to and govern the nomination and election of
31 trustees.

32 Nominations for members of the board of trustees shall be
33 made by a petition signed by at least 25 voters or 5% of the
34 voters, whichever is less, residing within the district and
35 shall be filed with the secretary of the board. In addition to
36 the requirements of general election law, the form of the

1 petition shall be as follows:

2 NOMINATING PETITIONS

3 To the Secretary of the Board of Trustees of (name of fire
4 protection district):

5 We, the undersigned, being (number of signatories or 10% or
6 more) of the voters residing within the district, hereby
7 petition that (name of candidate) who resides at (address of
8 candidate) in this district shall be a candidate for the office
9 of (office) of the Board of Trustees (full-term or vacancy) to
10 be voted for at the election to be held (date of election).

11 The secretary of the board shall notify each candidate for
12 whom a petition for nomination has been filed of their
13 obligations under the Campaign Financing Act, as required by
14 the general election law. The notice shall be given on a form
15 prescribed by the State Board of Elections and in accordance
16 with the requirements of the general election law.

17 The secretary shall, within 7 days of filing or on the last
18 day for filing, whichever is earlier, acknowledge to the
19 petitioner in writing his acceptance of the petition.

20 The provisions of Section 4 relating to eligibility, powers
21 and disabilities of trustees shall apply equally to elected
22 trustees.

23 Whenever a fire protection district determines to elect
24 trustees as provided in this Section, the trustees appointed
25 pursuant to Section 4 shall continue to constitute the board of
26 trustees until the first Monday of the month following the
27 month of the first election of trustees. If the term of office
28 of any appointed trustees expires before the first election of
29 trustees, the authority which appointed that trustee under
30 Section 4 of this Act shall appoint a successor to serve until
31 a successor is elected and has qualified. The terms of all
32 appointed trustees in such district shall expire on the first
33 Monday of the month following the month of the first election
34 of trustees under this Section or when successors have been
35 elected and have qualified, whichever occurs later.

36 (Source: P.A. 90-358, eff. 1-1-98.)