

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
5 by changing Sections 6 and 16.06 as follows:

6 (70 ILCS 705/6) (from Ch. 127 1/2, par. 26)

7 Sec. 6. The trustees shall constitute a board of
8 trustees for the district for which they are appointed, which
9 board of trustees is declared to be the corporate authority
10 of the fire protection district, and shall exercise all of
11 the powers and control all the affairs and property of such
12 district. The board of trustees at their initial meeting and
13 at their first meeting following the commencement of the term
14 of any trustee shall elect one of their number as president
15 and one of their number as secretary and shall elect a
16 treasurer for the district, who may be one of the trustees or
17 may be any other citizen of the district and who shall hold
18 office during the pleasure of the board and who shall give
19 such bond as may be required by the board. Except as
20 otherwise provided in Sections 16.01 through 16.18, the board
21 may appoint and enter into a multi-year contract not
22 exceeding 3 years with a fire chief and may appoint any
23 firemen that may be necessary for the district who shall hold
24 office during the pleasure of the board and who shall give
25 any bond that the board may require. The board may prescribe
26 the duties and fix the compensation of all the officers and
27 employees of the fire protection district. A member of the
28 board of trustees of a fire protection district may be
29 compensated as follows: in a district having fewer than 4
30 full time paid firemen, a sum not to exceed \$1,000 per annum;
31 in a district having more than 3 but less than 10 full time

1 paid firemen, a sum not to exceed \$1,500 per annum; in a
2 district having either 10 or more full time paid firemen, a
3 sum not to exceed \$2,000 per annum. In addition, fire
4 districts that operate an ambulance service pursuant to
5 authorization by referendum, as provided in Section 22, may
6 pay trustees an additional annual compensation not to exceed
7 50% of the amount otherwise authorized herein. The
8 additional compensation shall be an administrative expense of
9 the ambulance service and shall be paid from revenues raised
10 by the ambulance tax levy. The trustees also have the
11 express power to execute a note or notes and to execute a
12 mortgage or trust deed to secure the payment of such note or
13 notes; such trust deed or mortgage shall cover real estate,
14 or some part thereof, or personal property owned by the
15 district and the lien of the mortgage shall apply to the real
16 estate or personal property so mortgaged by the district, and
17 the proceeds of the note or notes may be used in the
18 acquisition of personal property or of real estate or in the
19 erection of improvements on such real estate. The trustees
20 have express power to purchase either real estate or personal
21 property to be used for the purposes of the fire protection
22 district through contracts which provide for the
23 consideration for such purchase to be paid through
24 installments to be made at stated intervals during a certain
25 period of time, but, in no case, shall such contracts provide
26 for the consideration to be paid during a period of time in
27 excess of 25 years. The trustees have express power to
28 provide for the benefit of its employees, volunteer firemen
29 and paid firemen, group life, health, accident, hospital and
30 medical insurance, or any combination thereof; and to pay for
31 all or any portion of the premiums on such insurance. Such
32 insurance may include provisions for employees who rely on
33 treatment by spiritual means alone through prayer for healing
34 in accord with the tenets and practice of a well recognized

1 religious denomination. To encourage continued service with
 2 the district, the board of trustees has the express power to
 3 award monetary incentives, not to exceed \$240 per year, to
 4 volunteer firefighters of the district based on the length of
 5 service. To be eligible for the incentives, the volunteer
 6 firefighters must have at least 5 years of service with the
 7 district. The amount of the incentives may not be greater
 8 than 2% of the annual levy amount when all incentive awards
 9 are combined. The board of trustees has express power to
 10 change the corporate name of the fire protection district by
 11 ordinance provided that notification of any change is given
 12 to the circuit clerk and the Office of the State Fire
 13 Marshal. The board of trustees has full power to pass all
 14 necessary ordinances, and rules and regulations for the
 15 proper management and conduct of the business of the board of
 16 trustees of the fire protection district for carrying into
 17 effect the objects for which the district was formed.

18 (Source: P.A. 91-948, eff. 1-1-02.)

19 (70 ILCS 705/16.06) (from Ch. 127 1/2, par. 37.06)

20 Sec. 16.06. Eligibility for positions in fire
 21 department; disqualifications.

22 (a) All applicants for a position in the fire department
 23 of the fire protection district shall be under 35 years of
 24 age and shall be subjected to examination, which shall be
 25 public, competitive, and free to all applicants, subject to
 26 reasonable limitations as to health, habits, and moral
 27 character; provided that the foregoing age limitation shall
 28 not apply in the case of any person having previous
 29 employment status as a fireman in a regularly constituted
 30 fire department of any fire protection district, and further
 31 provided that each fireman or fire chief who is a member in
 32 good standing in a regularly constituted fire department of
 33 any municipality which shall be or shall have subsequently

1 been included within the boundaries of any fire protection
2 district now or hereafter organized shall be given a
3 preference for original appointment in the same class, grade
4 or employment over all other applicants. The examinations
5 shall be practical in their character and shall relate to
6 those matters which will fairly test the persons examined as
7 to their relative capacity to discharge the duties of the
8 positions to which they seek appointment. The examinations
9 shall include tests of physical qualifications and health.
10 No applicant, however, shall be examined concerning his
11 political or religious opinions or affiliations. The
12 examinations shall be conducted by the board of fire
13 commissioners.

14 (b) No person shall be appointed to the fire department
15 unless he or she is a person of good character and not a
16 person who has been convicted of a felony in Illinois or
17 convicted in another jurisdiction for conduct that would be a
18 felony under Illinois law, or convicted of a crime involving
19 moral turpitude. No person, however, shall be disqualified
20 from appointment to the fire department because of his or her
21 record of misdemeanor convictions, except those under
22 Sections 11-6, 11-7, 11-9, 11-14, 11-15, 11-17, 11-18, 11-19,
23 12-2, 12-6, 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1,
24 28-3, 31-1, 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, 32-8,
25 and subsections (1), (6), and (8) of Section 24-1 of the
26 Criminal Code of 1961.

27 (Source: P.A. 89-52, eff. 6-30-95; 90-481, eff. 8-17-97.)