



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB1342

Introduced 02/09/05, by Rep. Timothy L. Schmitz - Lou Lang

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-10-2
70 ILCS 705/11h new
30 ILCS 805/8.29 new

from Ch. 24, par. 11-10-2

Amends the Illinois Municipal Code. Provides that a fire department foreign fire insurance board shall have 7 trustees, including the fire chief and 6 members of the fire department (now, the Board is established by ordinances of the corporate authorities). Provides for an annual election of board officers. Provides that the annual municipal audit shall include funds appropriated to the board and shall determine whether the funds have been expended only by the board. Amends the Fire Protection District Act. Provides that in each fire protection district that has an organized fire department there shall be a foreign fire insurance board. Provides that the board shall have 7 trustees, including the fire chief and 6 members of the fire department. Provides that officers shall be elected annually. Authorizes the board to make rules. Provides that the treasurer must give a bond to the board. Provides that the board shall develop and maintain a list of items that are appropriate expenditures. Provides that the annual fire protection district audit shall include funds appropriated to the board and shall determine whether the funds have been expended only by the board. Makes other changes. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB094 07104 AJO 37249 b

HOME RULE NOTE
ACT MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 Section 11-10-2 as follows:

6 (65 ILCS 5/11-10-2) (from Ch. 24, par. 11-10-2)

7 Sec. 11-10-2. A department foreign fire insurance board
8 shall be created within the fire department of each
9 municipality with fewer ~~The corporate authorities of any~~
10 ~~municipality containing less~~ than 250,000 inhabitants that
11 ~~which~~ has an organized fire department. The board shall consist
12 of 7 trustees; the fire chief, who shall hold office by virtue
13 of rank, and 6 members, who shall be elected at large by the
14 sworn members of the department. If there is an insufficient
15 number of candidates to fill all these positions, the number of
16 board members may be reduced, but not to fewer than 3 trustees
17 ~~shall pass an ordinance providing for the election of officers~~
18 ~~of the department foreign fire insurance board by the members~~
19 ~~of the department.~~ All members of the department shall be
20 eligible to be elected as officers of the department foreign
21 fire insurance board. The members of this board shall annually
22 elect officers. These officers shall be a chairman and include
23 a treasurer. The trustees of the department foreign fire
24 insurance board, ~~and they~~ shall make all needful rules and
25 regulations with respect to the department foreign fire
26 insurance board and the management of the money to be
27 appropriated to the board. The officers of the department
28 foreign fire insurance board shall develop and maintain a
29 listing of those items that the board feels are appropriate
30 expenditures under this Act. All of the money paid to the
31 municipal treasurer as provided in Section 11-10-1 shall be set
32 apart and shall be appropriated annually by the corporate

1 authorities to the department foreign fire insurance board. The
2 treasurer of the department foreign fire insurance board shall
3 give a sufficient bond to the municipality in which the fire
4 department is organized. This bond shall be approved by the
5 mayor or president, as the case may be, conditioned upon the
6 faithful performance by the treasurer of his or her duties
7 under the ordinance and the rules and regulations provided for
8 in this section. The treasurer of the department foreign fire
9 insurance board shall receive the appropriated money and shall
10 pay out the money upon the order of the department foreign fire
11 insurance board for the maintenance, use, and benefit of the
12 department. As part of the annual municipal audit, these funds
13 shall be audited to verify that the funds have been properly
14 appropriated to and held by the department foreign fire
15 insurance board and have been expended by that board only ~~these~~
16 ~~purchases are~~ for the maintenance, use, and benefit of the
17 department.

18 The provisions of this Section shall be the exclusive power
19 of the State, pursuant to subsection (h) of Section 6 of
20 Article VII of the Constitution.

21 (Source: P.A. 89-63, eff. 6-30-95.)

22 Section 10. The Fire Protection District Act is amended by
23 adding Section 11h as follows:

24 (70 ILCS 705/11h new)

25 Sec. 11h. Department foreign fire insurance board.

26 (a) A department foreign fire insurance board shall exist
27 within the fire department of each fire protection district
28 that has an organized fire department.

29 (b) The board shall consist of 7 trustees; the fire chief,
30 who shall hold office by virtue of rank, and 6 members, who
31 shall be elected at large by the sworn members of the
32 department. If there are an insufficient number of candidates
33 to fill all these positions, the number of board members may be
34 reduced, but not to fewer than 3 trustees. All sworn members of

1 the department shall be eligible to vote for and be elected as
2 officers of the board.

3 (c) The members of the board shall annually elect officers.
4 These officers shall be a chairman and a treasurer.

5 (d) The trustees of the board shall make rules with respect
6 to the board and the management of the money to be appropriated
7 to the board.

8 (e) The treasurer of the board shall give a sufficient bond
9 to the board of trustees of the fire protection district,
10 conditioned upon the faithful performance by the treasurer of
11 his or her duties under this Section. This bond must be
12 approved by the board of trustees of the fire protection
13 district.

14 (f) The officers of the department foreign fire insurance
15 board shall develop and maintain a listing of those items that
16 the board feels are appropriate expenditures under this
17 Section. The officers shall make rules concerning the board and
18 the management of the money appropriated to the board.

19 (g) All of the money paid to the secretary of the fire
20 protection district under Section 11-10-1 of the Illinois
21 Municipal Code (65 ILCS 5/11-10-1) shall be set apart and shall
22 be appropriated annually by the board of trustees of the fire
23 protection district to the department foreign fire insurance
24 board.

25 (h) The treasurer of the department foreign fire insurance
26 board shall receive the appropriated money and shall pay out
27 the money upon the order of the board for the maintenance, use,
28 and benefit of the department. As part of the fire protection
29 district's annual audit, these funds shall be audited to verify
30 that the funds have been properly appropriated to and held by
31 the board and have been expended by the board only for the
32 maintenance, use, and benefit of the department.

33 Section 90. The State Mandates Act is amended by adding
34 Section 8.29 as follows:

1 (30 ILCS 805/8.29 new)

2 Sec. 8.29. Exempt mandate. Notwithstanding Sections 6 and 8
3 of this Act, no reimbursement by the State is required for the
4 implementation of any mandate created by this amendatory Act of
5 the 94th General Assembly.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.