



Rep. Elizabeth Coulson

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1 AMENDMENT TO SENATE BILL 2677

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2677 on page 1,  
3 line 5, by replacing "Section 7-1-13" with "Sections 7-1-13,  
4 10-2.1-6, and 10-2.1-14"; and

5 on page 3, immediately below line 26, by inserting the  
6 following:

7 "(65 ILCS 5/10-2.1-6) (from Ch. 24, par. 10-2.1-6)  
8 Sec. 10-2.1-6. Examination of applicants;  
9 disqualifications.

10 (a) All applicants for a position in either the fire or  
11 police department of the municipality shall be under 35 years  
12 of age, shall be subject to an examination that shall be  
13 public, competitive, and open to all applicants (unless the  
14 council or board of trustees by ordinance limit applicants to  
15 electors of the municipality, county, state or nation) and  
16 shall be subject to reasonable limitations as to residence,

1 health, habits, and moral character. The municipality may not  
2 charge or collect any fee from an applicant who has met all  
3 prequalification standards established by the municipality for  
4 any such position.

5 (b) Residency requirements in effect at the time an  
6 individual enters the fire or police service of a municipality  
7 (other than a municipality that has more than 1,000,000  
8 inhabitants) cannot be made more restrictive for that  
9 individual during his period of service for that municipality,  
10 or be made a condition of promotion, except for the rank or  
11 position of Fire or Police Chief.

12 (c) No person with a record of misdemeanor convictions  
13 except those under Sections 11-6, 11-7, 11-9, 11-14, 11-15,  
14 11-17, 11-18, 11-19, 12-2, 12-6, 12-15, 14-4, 16-1, 21.1-3,  
15 24-3.1, 24-5, 25-1, 28-3, 31-1, 31-4, 31-6, 31-7, 32-1, 32-2,  
16 32-3, 32-4, 32-8, and subsections (1), (6) and (8) of Section  
17 24-1 of the Criminal Code of 1961 or arrested for any cause but  
18 not convicted on that cause shall be disqualified from taking  
19 the examination to qualify for a position in the fire  
20 department on grounds of habits or moral character.

21 (d) The age limitation in subsection (a) does not apply (i)  
22 to any person previously employed as a policeman or fireman in  
23 a regularly constituted police or fire department of (I) any  
24 municipality, regardless of whether the municipality is  
25 located in Illinois or in another state, or (II) a fire  
26 protection district whose obligations were assumed by a

1 municipality under Section 21 of the Fire Protection District  
2 Act, (ii) to any person who has served a municipality as a  
3 regularly enrolled volunteer fireman for 5 years immediately  
4 preceding the time that municipality begins to use full time  
5 firemen to provide all or part of its fire protection service,  
6 or (iii) to any person who has served as an auxiliary police  
7 officer under Section 3.1-30-20 for at least 5 years and is  
8 under 40 years of age, (iv) to any person who has served as a  
9 deputy under Section 3-6008 of the Counties Code and otherwise  
10 meets necessary training requirements, or (v) to any person who  
11 has served as a sworn officer as a member of the Illinois  
12 Department of State Police.

13 (e) Applicants who are 20 years of age and who have  
14 successfully completed 2 years of law enforcement studies at an  
15 accredited college or university may be considered for  
16 appointment to active duty with the police department. An  
17 applicant described in this subsection (e) who is appointed to  
18 active duty shall not have power of arrest, nor shall the  
19 applicant be permitted to carry firearms, until he or she  
20 reaches 21 years of age.

21 (f) Applicants who are 18 years of age and who have  
22 successfully completed 2 years of study in fire techniques,  
23 amounting to a total of 4 high school credits, within the cadet  
24 program of a municipality may be considered for appointment to  
25 active duty with the fire department of any municipality.

26 (g) The council or board of trustees may by ordinance

1 provide that persons residing outside the municipality are  
2 eligible to take the examination.

3 (h) The examinations shall be practical in character and  
4 relate to those matters that will fairly test the capacity of  
5 the persons examined to discharge the duties of the positions  
6 to which they seek appointment. No person shall be appointed to  
7 the police or fire department if he or she does not possess a  
8 high school diploma or an equivalent high school education. A  
9 board of fire and police commissioners may, by its rules,  
10 require police applicants to have obtained an associate's  
11 degree or a bachelor's degree as a prerequisite for employment.

12 The examinations shall include tests of physical  
13 qualifications and health. A board of fire and police  
14 commissioners may, by its rules, waive portions of the required  
15 examination for police applicants who have previously been  
16 full-time sworn officers of a regular police department in any  
17 municipal, county, university, or State law enforcement  
18 agency, provided they are certified by the Illinois Law  
19 Enforcement Training Standards Board and have been with their  
20 respective law enforcement agency within the State for at least  
21 2 years. No person shall be appointed to the police or fire  
22 department if he or she has suffered the amputation of any limb  
23 unless the applicant's duties will be only clerical or as a  
24 radio operator. No applicant shall be examined concerning his  
25 or her political or religious opinions or affiliations. The  
26 examinations shall be conducted by the board of fire and police

1 commissioners of the municipality as provided in this Division  
2 2.1.

3 (i) No person who is classified by his local selective  
4 service draft board as a conscientious objector, or who has  
5 ever been so classified, may be appointed to the police  
6 department.

7 (j) No person shall be appointed to the police or fire  
8 department unless he or she is a person of good character and  
9 not an habitual drunkard, gambler, or a person who has been  
10 convicted of a felony or a crime involving moral turpitude. No  
11 person, however, shall be disqualified from appointment to the  
12 fire department because of his or her record of misdemeanor  
13 convictions except those under Sections 11-6, 11-7, 11-9,  
14 11-14, 11-15, 11-17, 11-18, 11-19, 12-2, 12-6, 12-15, 14-4,  
15 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1, 31-4, 31-6, 31-7,  
16 32-1, 32-2, 32-3, 32-4, 32-8, and subsections (1), (6) and (8)  
17 of Section 24-1 of the Criminal Code of 1961 or arrest for any  
18 cause without conviction on that cause. Any such person who is  
19 in the department may be removed on charges brought and after a  
20 trial as provided in this Division 2.1.

21 (Source: P.A. 94-29, eff. 6-14-05; 94-984, eff. 6-30-06;  
22 95-165, eff. 1-1-08.)

23 (65 ILCS 5/10-2.1-14) (from Ch. 24, par. 10-2.1-14)

24 Sec. 10-2.1-14. Register of eligibles. The board of fire  
25 and police commissioners shall prepare and keep a register of

1 persons whose general average standing, upon examination, is  
2 not less than the minimum fixed by the rules of the board, and  
3 who are otherwise eligible. These persons shall take rank upon  
4 the register as candidates in the order of their relative  
5 excellence as determined by examination, without reference to  
6 priority of time of examination. The board of fire and police  
7 commissioners may prepare and keep a second register of persons  
8 who have previously been full-time sworn officers of a regular  
9 police department in any municipal, county, university, or  
10 State law enforcement agency, provided they are certified by  
11 the Illinois Law Enforcement Training Standards Board and have  
12 been with their respective law enforcement agency within the  
13 State for at least 2 years. The persons on this list shall take  
14 rank upon the register as candidates in the order of their  
15 relative excellence as determined by members of the board of  
16 fire and police commissioners. Applicants who have been awarded  
17 a certificate attesting to their successful completion of the  
18 Minimum Standards Basic Law Enforcement Training Course, as  
19 provided in the Illinois Police Training Act, may be given  
20 preference in appointment over noncertified applicants.  
21 Applicants for appointment to fire departments who are licensed  
22 as an EMT-B, EMT-I, or EMT-P under the Emergency Medical  
23 Services (EMS) Systems Act, may be given preference in  
24 appointment over non-licensed applicants.

25 Within 60 days after each examination, an eligibility list  
26 shall be posted by the board, which shall show the final grades

1 of the candidates without reference to priority of time of  
2 examination and subject to claim for military credit.  
3 Candidates who are eligible for military credit shall make a  
4 claim in writing within 10 days after the posting of the  
5 eligibility list or such claim shall be deemed waived.  
6 Appointment shall be subject to a final physical examination.

7 If a person is placed on an eligibility list and becomes  
8 overage before he or she is appointed to a police or fire  
9 department, the person remains eligible for appointment until  
10 the list is abolished pursuant to authorized procedures.  
11 Otherwise no person who has attained the age of 36 years shall  
12 be inducted as a member of a police department and no person  
13 who has attained the age of 35 years shall be inducted as a  
14 member of a fire department, except as otherwise provided in  
15 this division.

16 (Source: P.A. 94-281, eff. 1-1-06.)".