

HB4694



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB4694

by Rep. Jack D. Franks

SYNOPSIS AS INTRODUCED:

425 ILCS 25/13.1

from Ch. 127 1/2, par. 17.1

Amends the Fire Investigation Act. Provides that the Fire Prevention Fund is not subject to sweeps, administrative charges, or charge-backs, including but not limited to those authorized under Section 8h of the State Finance Act, or any other fiscal or budgetary maneuver that would in any way transfer any funds from the Fire Prevention Fund into any other fund of the State. Effective immediately.

LRB096 15818 DRJ 31059 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning safety.

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

4 Section 5. The Fire Investigation Act is amended by
5 changing Section 13.1 as follows:

6 (425 ILCS 25/13.1) (from Ch. 127 1/2, par. 17.1)

7 Sec. 13.1. Fire Prevention Fund.

8 (a) There shall be a special fund in the State Treasury
9 known as the Fire Prevention Fund.

10 (b) The following moneys shall be deposited into the Fund:

11 (1) Moneys received by the Department of Insurance
12 under Section 12 of this Act.

13 (2) All fees and reimbursements received by the Office
14 of the State Fire Marshal.

15 (3) All receipts from boiler and pressure vessel
16 certification, as provided in Section 13 of the Boiler and
17 Pressure Vessel Safety Act.

18 (4) Such other moneys as may be provided by law.

19 (c) The moneys in the Fire Prevention Fund shall be used,
20 subject to appropriation, for the following purposes:

21 (1) Of the moneys deposited into the fund under Section
22 12 of this Act, 12.5% shall be available for the
23 maintenance of the Illinois Fire Service Institute and the

1 expenses, facilities, and structures incident thereto, and
2 for making transfers into the General Obligation Bond
3 Retirement and Interest Fund for debt service requirements
4 on bonds issued by the State of Illinois after January 1,
5 1986 for the purpose of constructing a training facility
6 for use by the Institute.

7 (2) Of the moneys deposited into the Fund under Section
8 12 of this Act, 10% shall be available for the maintenance
9 of the Chicago Fire Department Training Program and the
10 expenses, facilities and structures incident thereto, in
11 addition to any moneys payable from the Fund to the City of
12 Chicago pursuant to the Illinois Fire Protection Training
13 Act.

14 (3) For making payments to local governmental agencies
15 and individuals pursuant to Section 10 of the Illinois Fire
16 Protection Training Act.

17 (4) For the maintenance and operation of the Office of
18 the State Fire Marshal, and the expenses incident thereto.

19 (5) For any other purpose authorized by law.

20 (c-5) As soon as possible after the effective date of this
21 amendatory Act of the 95th General Assembly, the Comptroller
22 shall order the transfer and the Treasurer shall transfer
23 \$2,000,000 from the Fire Prevention Fund to the Fire Service
24 and Small Equipment Fund, \$9,000,000 from the Fire Prevention
25 Fund to the Fire Truck Revolving Loan Fund, and \$4,000,000 from
26 the Fire Prevention Fund to the Ambulance Revolving Loan Fund.

1 Beginning on July 1, 2008, each month, or as soon as practical
2 thereafter, an amount equal to \$2 from each fine received shall
3 be transferred from the Fire Prevention Fund to the Fire
4 Service and Small Equipment Fund, an amount equal to \$1.50 from
5 each fine received shall be transferred from the Fire
6 Prevention Fund to the Fire Truck Revolving Loan Fund, and an
7 amount equal to \$4 from each fine received shall be transferred
8 from the Fire Prevention Fund to the Ambulance Revolving Loan
9 Fund. These moneys shall be transferred from the moneys
10 deposited into the Fire Prevention Fund pursuant to Public Act
11 95-154, together with not more than 25% of any unspent
12 appropriations from the prior fiscal year. These moneys may be
13 allocated to the Fire Truck Revolving Loan Fund, Ambulance
14 Revolving Loan Fund, and Fire Service and Small Equipment Fund
15 at the discretion of the Office of the State Fire Marshal for
16 the purpose of implementation of this Act.

17 (d) Any portion of the Fire Prevention Fund remaining
18 unexpended at the end of any fiscal year which is not needed
19 for the maintenance and expenses of the Office of the State
20 Fire Marshal or the maintenance and expenses of the Illinois
21 Fire Service Institute, shall remain in the Fire Prevention
22 Fund for the exclusive and restricted uses provided in
23 subsections (c) and (c-5) of this Section.

24 (d-5) The Fire Prevention Fund is not subject to sweeps,
25 administrative charges, or charge-backs, including but not
26 limited to those authorized under Section 8h of the State

1 Finance Act, or any other fiscal or budgetary maneuver that
2 would in any way transfer any funds from the Fire Prevention
3 Fund into any other fund of the State.

4 (e) The Office of the State Fire Marshal shall keep on file
5 an itemized statement of all expenses incurred which are
6 payable from the Fund, other than expenses incurred by the
7 Illinois Fire Service Institute, and shall approve all vouchers
8 issued therefor before they are submitted to the State
9 Comptroller for payment. Such vouchers shall be allowed and
10 paid in the same manner as other claims against the State.

11 (Source: P.A. 95-717, eff. 4-8-08; 96-286, eff. 8-11-09.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.