

HB5610



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB5610

by Rep. Donald L. Moffitt

SYNOPSIS AS INTRODUCED:

70 ILCS 705/11b

from Ch. 127 1/2, par. 31b

Amends the Fire Protection District Act. Provides that no fire protection district will be required to assume responsibility for the fire protection of any municipality which discontinues its fire department unless the fire protection district's Board of Trustees has agreed to do so. Effective immediately.

LRB099 19378 AWJ 43770 b

A BILL FOR

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 Fire Protection District Act is amended by
5 changing Section 11b as follows:

6 (70 ILCS 705/11b) (from Ch. 127 1/2, par. 31b)

7 Sec. 11b. (a) In case any fire protection district
8 organized hereunder is coterminous with or includes within its
9 corporate limits in whole or in part any city, village or
10 incorporated town authorized to provide protection from fire
11 and to regulate the prevention and control of fire within such
12 city, village or incorporated town and to levy taxes for any
13 such purposes, then such city, village or incorporated town
14 shall not exercise any such powers as necessarily conflict with
15 the powers to be exercised by such district in respect to such
16 fire protection and regulation within the fire protection
17 district from and after the date that it receives written
18 notice from the State Fire Marshal to cease or refrain from the
19 operation of any fire protection facilities and the exercise of
20 such powers, which notice shall be given only after the State
21 Fire Marshal has ascertained that the Fire Protection District
22 has placed its fire protection facilities in operation. Such
23 city, village or incorporated town shall not thereafter own,

1 operate, maintain, manage, control or have an interest in any
2 fire protection facilities located within the corporate limits
3 of the fire protection district, except water mains and
4 hydrants and except as otherwise provided in this Act. Where
5 any city, village, or incorporated town with 500 or more
6 residents is in fact owning, operating, and maintaining a fire
7 department or fire departments located in whole or in part
8 within or adjacent to the corporate limits of a fire protection
9 district organized under this Act, such city, village, or
10 incorporated town shall not cease operating and maintaining the
11 fire department or departments unless such proposed cessation
12 of services is first submitted by referendum to voters, as
13 provided by Section 15b of this Act. In addition, where any
14 city, village, or incorporated town is in fact owning,
15 operating, and maintaining a fire department or fire
16 departments located within the corporate limits of a fire
17 protection district organized under this Act, such city,
18 village, or incorporated town shall be paid and reimbursed for
19 its actual expenditures and for all existing obligations
20 incurred, including all pension and annuity plans applicable to
21 the maintenance of fire protection facilities theretofore made
22 in establishing such facilities and in acquiring,
23 constructing, improving or developing any such existing
24 facilities in the manner provided for by this Act. The terms of
25 payment shall provide for reimbursement in full within not less
26 than 20 years from the date of such agreement.

1 (b) Notwithstanding subsection (a) of this Section, no fire
2 protection district adjacent to any city, village, or
3 incorporated town will be required to assume responsibility for
4 fire protection or other emergency services to such city,
5 village, or incorporated town which discontinues its municipal
6 fire department under Section 15b of this Act unless the Board
7 of Trustees of the adjacent fire protection district has by
8 resolution, ordinance, or intergovernmental agreement, agreed
9 to provide such services.

10 (Source: P.A. 98-666, eff. 1-1-15; 99-78, eff. 7-20-15.)

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