

SB1793



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB1793

Introduced 2/15/2019, by Sen. John G. Mulroe

SYNOPSIS AS INTRODUCED:

65 ILCS 5/10-1-7.4 new

Amends the Illinois Municipal Code. Creates an advisory board in the Chicago Fire Department to recommend to the Fire Commissioner of the Chicago Fire Department the best candidates for each position of temporary fire chief and temporary paramedic chief. Defines terms. Requires that the Fire Commissioner provide notice of positions to which he or she will be appointing fire chiefs or paramedic chiefs and a list of qualified candidates for each position. Provides that the Fire Commissioner may appoint fire chiefs and paramedic chiefs after receiving recommendations from the advisory board if the candidates meet specified criteria. Provides that the advisory board shall make rules and procedures and that the City of Chicago shall provide administrative and other support to the advisory board. Limits home rule powers. Effective immediately.

LRB101 09137 AWJ 54231 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

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. Findings. The General Assembly finds that the
5 positions of fire chief and paramedic chief in the Chicago Fire
6 Department are positions that require the knowledge and skill
7 of experienced members of the Chicago Fire Department.
8 Furthermore, the General Assembly finds that the positions of
9 fire chief and paramedic chief are positions in which persons
10 holding the fire chief and paramedic chief rank take command
11 of, or otherwise give orders to, their subordinates at
12 potentially dangerous or life-threatening incidents and
13 activities.

14 Section 10. The Illinois Municipal Code is amended by
15 adding Section 10-1-7.4 as follows:

16 (65 ILCS 5/10-1-7.4 new)

17 Sec. 10-1-7.4. Temporary fire chief and paramedic chief
18 advisory board.

19 (a) As used in this Section, "fire chief" or "paramedic
20 chief" means an individual temporarily appointed by the Fire
21 Commissioner to have direct supervisory authority over sworn
22 firefighters, paramedics, or emergency medical technicians of

1 the Chicago Fire Department.

2 (b) A non-binding advisory board is created in the Chicago
3 Fire Department to recommend to the Fire Commissioner of the
4 Chicago Fire Department the best candidates for each position
5 of fire chief or paramedic chief. The advisory board shall be
6 comprised of 8 members appointed by the Fire Commissioner, or
7 his or her designee, 4 of whom must be, at the time of
8 appointment and during all times while serving on the advisory
9 board: (i) a member of an organization representing the
10 interest of firefighters and paramedics of the Chicago Fire
11 Department; and (ii) elected at large by members of that
12 organization to the organization's executive board. The Fire
13 Commissioner shall make his or her initial appointments to the
14 advisory board no later than 60 days after the effective date
15 of this amendatory Act of the 101st General Assembly. The
16 advisory board shall meet no later than 90 days after the
17 effective date of this amendatory Act of the 101st General
18 Assembly to elect a chair and vice-chair. Beginning June 1,
19 2020, and every June 1 thereafter, members shall be appointed
20 or reappointed to one-year terms and each newly-appointed
21 advisory board shall meet no later than July 1 of each year to
22 elect a chair and vice-chair.

23 (c) The Fire Commissioner shall provide written notice to
24 the advisory board each time the Fire Commissioner will need to
25 make an appointment of a fire chief or paramedic chief. The
26 Fire Commissioner must provide with the written notice to the

1 advisory board a list of qualified candidates for each position
2 that he or she will need to make an appointment. The advisory
3 board shall meet no later than 30 days after receipt of each
4 written notice from the Fire Commissioner and shall issue a
5 recommendation or recommendations to the Fire Commissioner no
6 later than 15 days after the initial meeting. In order to be
7 recommended for the position of fire chief or paramedic chief,
8 5 members of the advisory board must agree to the
9 recommendation.

10 (d) The Fire Commissioner may appoint a fire chief or
11 paramedic chief after the advisory board has issued its
12 recommendation under subsection (c). An individual appointed
13 fire chief or paramedic chief by the Fire Commissioner must
14 meet the following criteria:

15 (1) is an active member of the Chicago Fire Department
16 who is not receiving any type of pension from the Firemen's
17 Annuity and Benefit Fund of Chicago;

18 (2) has 10 years of creditable service time with the
19 Chicago Fire Department;

20 (3) has held the career service rank of battalion chief
21 or field chief with the Chicago Fire Department prior to
22 his or her appointment to the rank of fire chief or
23 paramedic chief; and

24 (4) does not exceed the maximum age set forth in the
25 ordinances of the City of Chicago that govern active sworn
26 members of the Chicago Fire Department.

1 (e) The advisory board shall adopt all necessary rules and
2 procedures it finds necessary to carry out the process of
3 recommending qualified candidates. The City of Chicago shall
4 provide administrative and other support to the advisory board.

5 (f) The City of Chicago may not regulate the advisory board
6 or regulate appointments of fire chiefs or paramedic chiefs in
7 the Chicago Fire Department in a manner inconsistent with this
8 Section. This Section is a limitation under subsection (i) of
9 Section 6 of Article VII of the Illinois Constitution on the
10 concurrent exercise by home rule units of powers and functions
11 exercised by the State.

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