



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB5233

Introduced 1/24/2006, by Rep. Joe Dunn - Timothy L. Schmitz - Roger Jenisch - Michael P. McAuliffe - Sandra M. Pihos

SYNOPSIS AS INTRODUCED:

70 ILCS 705/22

from Ch. 127 1/2, par. 38.5

Amends the Fire Protection District Act. Provides that, for purposes of a tax levied by a fire protection district to provide an ambulance service, "ambulance service" includes medical service. Provides that the amendatory changes are declarative of existing law.

LRB094 16101 HLH 51339 b

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 22 as follows:

6 (70 ILCS 705/22) (from Ch. 127 1/2, par. 38.5)

7 Sec. 22. The Board of Trustees of any fire protection
8 district incorporated under this Act is authorized under the
9 terms and conditions hereinafter set out, to provide emergency
10 ambulance service to or from points within or without the
11 district; to contract with providers of ambulance service; to
12 combine with other units of governments for the purpose of
13 providing ambulance service; to levy a tax for the provision of
14 such service and to adopt rules and regulations relating to
15 ambulance service within their jurisdiction.

16 (a) It is declared as a matter of public policy:

17 (1) That, in order to preserve, protect and promote the
18 public health, safety and general welfare, adequate and
19 continuing emergency ambulance service should be available
20 to every citizen of Illinois;

21 (2) That, insofar as it is economically feasible,
22 emergency ambulance service should be provided by private
23 enterprise; and

24 (3) That, in the event adequate and continuing
25 emergency ambulance services do not exist, fire protection
26 districts should be authorized to provide, and shall cause
27 to be provided, ambulance service as a public
28 responsibility.

29 (b) Whenever the Board of Trustees of a fire protection
30 district desires to levy a special tax to provide an ambulance
31 service, it shall certify the question to the proper election
32 officials, who shall submit that question at an election to the

1 voters of the district. The result of such referendum shall be
 2 entered upon the records of the district. If a majority of the
 3 votes on the proposition are in favor of such proposition, the
 4 Board of Trustees may thereafter levy a special tax at a rate
 5 not to exceed .30% of the value of all taxable property within
 6 the district as equalized or assessed by the Department of
 7 Revenue. The proposition shall be in substantially the
 8 following form:

9 -----
 10 Shall the Fire Protection
 11 District levy a special tax at a rate YES
 12 not to exceed .30% of the value of all
 13 taxable property within the district as -----
 14 equalized or assessed by the Department
 15 of Revenue for the purpose of providing NO
 16 an ambulance service?
 17 -----

18 (c) If it appears that a majority of all valid votes cast
 19 on the proposition are in favor of levying a special tax to pay
 20 for an ambulance, the Board of Trustees may levy and collect an
 21 annual tax for the purpose of providing ambulance service under
 22 this Act to be extended at a rate not to exceed .30% of the full
 23 fair cash value of the taxable property within the governmental
 24 unit as assessed or equalized by the Department of Revenue.
 25 Such annual tax shall be in addition to the other taxes a fire
 26 protection district may levy for its corporate purposes.

- 27 (d) Any Board of trustees may:
- 28 1. Provide or operate an emergency ambulance service;
 - 29 2. Contract with a private person, hospital,
 30 corporation or another governmental unit for the provision
 31 and operation of emergency ambulance service or subsidize
 32 the service thereof;
 - 33 3. Limit the number of ambulance services;
 - 34 4. Within its jurisdiction, fix, charge and collect
 35 fees for emergency ambulance service within or outside of
 36 the fire protection district not exceeding the reasonable

1 cost of the service;

2 5. Establish necessary regulations not inconsistent
3 with the statutes or regulations of the Department of
4 Public Health relating to ambulance service;

5 6. The trustees shall have the power identified in
6 paragraphs 3 and 5 only if the district shall have passed
7 the referendum provided for herein.

8 (e) When any Board of Trustees is authorized prior to
9 January 1, 1978 to levy and collect an annual tax, for the
10 purpose of providing ambulance service, at any rate not
11 exceeding .25% of the full fair cash value of the taxable
12 property within the governmental unit as equalized or assessed
13 by the Department of Revenue, such Board of Trustees may by
14 resolution increase its authority to tax for ambulance purposes
15 to a rate not to exceed .30%. Such resolution shall be
16 effective 30 days after its adoption. Notice of such resolution
17 shall be published twice in a newspaper having a general
18 circulation within the district at least 20 days and again at
19 least 10 days prior to the effective date of the resolution.
20 Such notice shall state that the voters of that fire protection
21 district, which district shall be described in the notice, have
22 until 30 days after the adoption of the resolution to file a
23 petition with the Board of Trustees praying that the question
24 of the adoption of the resolution be submitted to a vote of the
25 electors of such territory, and that, if no such petition is
26 filed, the resolution shall become effective 30 days after its
27 adoption. The notice also shall state the specific number of
28 voters required to sign the petition and the date of the
29 prospective referendum. The district secretary shall provide a
30 petition form to any individual requesting one. If such a
31 petition, signed by the voters of the district equal to 10% or
32 more of the registered voters of the district, is so filed with
33 the Board of Trustees, then the question of the adoption of the
34 resolution shall be certified to the proper election officials,
35 who shall submit the question to a vote of the electors of the
36 district at an election in accordance with the general election

1 law. If such a petition is filed, the resolution does not take
 2 effect unless a majority of the votes cast upon the question of
 3 the adoption of the resolution is in favor of adoption.
 4 However, if such a petition is determined to be invalid, the
 5 resolution shall take effect.

6 The result of the election shall be entered upon the
 7 records of the district. If a majority of the voters vote in
 8 favor of such resolution, the resolution shall be effective
 9 immediately. The proposition shall be in substantially the
 10 following form:

11 -----

12 Shall the Board of Trustees of	
13 the Fire Protection District	YES
14 be authorized to increase the	
15 special tax for ambulance service	
16 to a rate not to exceed .30% of	-----
17 the value of all taxable property	
18 within the district as equalized or	
19 assessed by the Department of Revenue	NO
20 for the purpose of providing such service?	

21 -----

22 In this Section, "ambulance service" includes, without
 23 limitation, medical service. This amendatory Act of the 94th
 24 General Assembly is declarative of existing law.

25 (Source: P.A. 86-1253; 87-767.)