



Rep. Robert F. Martwick

Filed: 3/4/2014

09800HB4702ham001

LRB098 18651 JLK 55397 a

1 AMENDMENT TO HOUSE BILL 4702

2 AMENDMENT NO. _____. Amend House Bill 4702 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Municipal Code is amended by
5 changing Section 11-10-1 as follows:

6 (65 ILCS 5/11-10-1) (from Ch. 24, par. 11-10-1)

7 Sec. 11-10-1. In each municipality or fire protection
8 district, whether incorporated under a general or special law,
9 which has a fire department established and maintained by
10 municipal or fire protection district ordinances, every
11 corporation, company, and association which is not
12 incorporated under the laws of this state and which is engaged
13 in effecting fire insurance in the municipality or fire
14 protection district, shall pay to the foreign fire insurance
15 board or to the secretary of the fire protection district for
16 the maintenance, use, and benefit of the fire department

1 thereof, a sum not exceeding 2% of the gross receipts received
2 from fire insurance upon property situated within the
3 municipality or district.

4 Each municipality and fire protection district may
5 prescribe by ordinance the rate of the tax or license fee to be
6 paid, but this rate shall not exceed the rate specified in this
7 section. Each designated corporation, company, and association
8 shall pay at the rate so prescribed, upon the amount of all
9 premiums which have been received during the year ending on
10 every first day of July for all fire insurance effected or
11 agreed to be effected on property situated within the
12 municipality or fire protection district, by that corporation,
13 company, or association respectively.

14 Every person who acts in any specified municipality or fire
15 protection district as agent, or otherwise, on behalf of a
16 designated corporation, company, or association, shall render
17 to the treasurer of the foreign fire insurance board or
18 secretary of the fire protection district, on or before the
19 fifteenth day of July of each year, a full and true account,
20 verified by his oath, of all of the premiums which, during the
21 year ending on the first day of July preceding the report, were
22 received by him, or by any other person for him on behalf of
23 that corporation, company, or association. He shall specify in
24 this report the amounts received for fire insurance, and he
25 shall pay to the treasurer of the foreign fire insurance board,
26 or to the secretary of the fire protection district, at the

1 time of rendering this report, the amount as determined by the
2 rate fixed by the ordinance of the municipality or fire
3 protection district for which his corporation, company, or
4 association is accountable under this section and the
5 ordinance.

6 If this account is not rendered on or before the fifteenth
7 day of July of each year, or if the sum due remains unpaid
8 after that day, it shall be unlawful for any corporation,
9 company, or association, so in default, to transact any
10 business in the municipality or fire protection district until
11 the sum due has been fully paid. But this provision shall not
12 relieve any corporation, company, or association from the
13 payment of any loss upon any risk that may be taken in
14 violation of this requirement.

15 Any entity that maintains a website and that is charged
16 with the collection of a tax or license fee and the rendering
17 of the tax or license fee to the treasurer of the foreign fire
18 insurance board or fire protection district secretary must
19 publish to its website by the first day of August of each year
20 the following information for the year ending on the preceding
21 first day of July:

22 (1) the total amount of the tax or license fee
23 collected on behalf of each municipal fire department or
24 fire protection district;

25 (2) the total administrative fees, if any, charged to
26 each municipal fire department or fire protection

1 district;

2 (3) the aggregate amount of taxes or license fees
3 collected on behalf of all municipal fire departments or
4 fire protection districts; and

5 (4) the aggregate amount of administrative fees, if
6 any, charged to each municipal fire department or fire
7 protection district.

8 Any entity charged with the collection of the tax or
9 license fee and the rendering of the tax or license fee to the
10 treasurer of the foreign fire insurance board or fire
11 protection district secretary shall not charge an
12 administrative fee in excess of 1% of the gross amount
13 collected in each municipal fire department or each fire
14 protection district.

15 The amount of this tax or license fee may be recovered from
16 the corporation, company, or association which owes it, or from
17 its agent, by an action in the name and for the use of the
18 municipality or fire protection district as for money had and
19 received.

20 The municipal comptroller, if any, and if not, then the
21 municipal clerk or the secretary of the fire protection
22 district, may examine the books, records, and other papers and
23 documents of a designated agent, corporation, company, or
24 association for the purpose of verifying the correctness of the
25 report of the amounts received for fire insurance.

26 This section shall not be applicable to receipts from

1 contracts of marine insurance, even though they include
2 insurance against fire, where the premium for the fire
3 insurance is not separately specified.
4 (Source: P.A. 95-807, eff. 8-12-08.)".