

**SB3384**



**98TH GENERAL ASSEMBLY**

**State of Illinois**

**2013 and 2014**

**SB3384**

Introduced 2/14/2014, by Sen. William R. Haine

**SYNOPSIS AS INTRODUCED:**

70 ILCS 705/22

from Ch. 127 1/2, par. 38.5

Amends the Fire Protection District Act. Expands the definition of "ambulance service" to include other emergency services in addition to transportation.

LRB098 19092 JLK 54242 b

FISCAL 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. 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

1           (3) That, in the event adequate and continuing  
 2 emergency ambulance services do not exist, fire protection  
 3 districts should be authorized to provide, and shall cause  
 4 to be provided, ambulance service as a public  
 5 responsibility.

6           (b) Whenever the Board of Trustees of a fire protection  
 7 district desires to levy a special tax to provide an ambulance  
 8 service, it shall certify the question to the proper election  
 9 officials, who shall submit that question at an election to the  
 10 voters of the district. The result of such referendum shall be  
 11 entered upon the records of the district. If a majority of the  
 12 votes on the proposition are in favor of such proposition, the  
 13 Board of Trustees may thereafter levy a special tax at a rate  
 14 not to exceed .30% of the value of all taxable property within  
 15 the district as equalized or assessed by the Department of  
 16 Revenue. The proposition shall be in substantially the  
 17 following form:

18 -----  
 19           Shall the .... Fire Protection  
 20 District levy a special tax at a rate           YES  
 21 not to exceed .30% of the value of all  
 22 taxable property within the district as -----  
 23 equalized or assessed by the Department  
 24 of Revenue for the purpose of providing       NO  
 25 an ambulance service?  
 26 -----

1 (b-5) On and after the effective date of this amendatory  
 2 Act of the 98th General Assembly, whenever the Board of  
 3 Trustees of a fire protection district desires to levy a  
 4 special tax to provide an ambulance service, it shall certify  
 5 the question to the proper election officials, who shall submit  
 6 that question at an election to the voters of the district. The  
 7 result of such referendum shall be entered upon the records of  
 8 the district. If a majority of the votes on the proposition are  
 9 in favor of such proposition, the Board of Trustees may  
 10 thereafter levy a special tax at a rate not to exceed .40% of  
 11 the value of all taxable property within the district as  
 12 equalized or assessed by the Department of Revenue. The  
 13 proposition shall be in substantially the following form:

14 -----  
 15 Shall the .... Fire Protection  
 16 District levy a special tax at a rate YES  
 17 not to exceed .40% of the value of all  
 18 taxable property within the district as -----  
 19 equalized or assessed by the Department  
 20 of Revenue for the purpose of providing NO  
 21 an ambulance service?  
 22 -----

23 (c) If it appears that a majority of all valid votes cast  
 24 on the proposition are in favor of levying a special tax to pay  
 25 for an ambulance, the Board of Trustees may levy and collect an  
 26 annual tax for the purpose of providing ambulance service under

1 this Act to be extended at a rate not to exceed .40% of the full  
2 fair cash value of the taxable property within the governmental  
3 unit as assessed or equalized by the Department of Revenue.  
4 Such annual tax shall be in addition to the other taxes a fire  
5 protection district may levy for its corporate purposes.

6 (d) Any Board of trustees may:

7 1. Provide or operate an emergency ambulance service;

8 2. Contract with a private person, hospital,  
9 corporation or another governmental unit for the provision  
10 and operation of emergency ambulance service or subsidize  
11 the service thereof;

12 3. Limit the number of ambulance services;

13 4. Within its jurisdiction, fix, charge and collect  
14 fees for emergency ambulance service within or outside of  
15 the fire protection district not exceeding the reasonable  
16 cost of the service;

17 5. Establish necessary regulations not inconsistent  
18 with the statutes or regulations of the Department of  
19 Public Health relating to ambulance service;

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

23 (e) When any Board of Trustees is authorized prior to  
24 January 1, 1978 to levy and collect an annual tax, for the  
25 purpose of providing ambulance service, at any rate not  
26 exceeding .25% of the full fair cash value of the taxable

1 property within the governmental unit as equalized or assessed  
2 by the Department of Revenue, such Board of Trustees may by  
3 resolution increase its authority to tax for ambulance purposes  
4 to a rate not to exceed .30%. Such resolution shall be  
5 effective 30 days after its adoption. Notice of such resolution  
6 shall be published twice in a newspaper having a general  
7 circulation within the district at least 20 days and again at  
8 least 10 days prior to the effective date of the resolution.  
9 Such notice shall state that the voters of that fire protection  
10 district, which district shall be described in the notice, have  
11 until 30 days after the adoption of the resolution to file a  
12 petition with the Board of Trustees praying that the question  
13 of the adoption of the resolution be submitted to a vote of the  
14 electors of such territory, and that, if no such petition is  
15 filed, the resolution shall become effective 30 days after its  
16 adoption. The notice also shall state the specific number of  
17 voters required to sign the petition and the date of the  
18 prospective referendum. The district secretary shall provide a  
19 petition form to any individual requesting one. If such a  
20 petition, signed by the voters of the district equal to 10% or  
21 more of the registered voters of the district, is so filed with  
22 the Board of Trustees, then the question of the adoption of the  
23 resolution shall be certified to the proper election officials,  
24 who shall submit the question to a vote of the electors of the  
25 district at an election in accordance with the general election  
26 law. If such a petition is filed, the resolution does not take

1 effect unless a majority of the votes cast upon the question of  
 2 the adoption of the resolution is in favor of adoption.  
 3 However, if such a petition is determined to be invalid, the  
 4 resolution shall take effect.

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

10 -----

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

20 -----

21 In this Section, "ambulance service" includes, without  
 22 limitation, pre-hospital medical services and the provision of  
 23 other emergency services in addition to transportation.  
 24 "Pre-hospital medical services" includes emergency services  
 25 performed by a paramedic or other on-board emergency personnel  
 26 that are within the scope of the provider's license. This

1 amendatory Act of the 95th General Assembly is declarative of  
2 existing law.

3 (Source: P.A. 98-319, eff. 8-12-13.)