

AN ACT concerning fire protection districts.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 3. The Department of State Police Law of the Civil Administrative Code of Illinois is amended by changing Section 2605-330 as follows:

(20 ILCS 2605/2605-330) (was 20 ILCS 2605/55a in part)

Sec. 2605-330. Firefighter applicant criminal history records checks ~~background investigations~~. Upon the request of the chief of a ~~volunteer~~ fire department or the board of trustees of a fire protection district, the Department shall conduct fingerprint-based criminal history records checks of both State and Federal Bureau of Investigation criminal history record databases concerning ~~criminal background investigations of~~ prospective firefighters and report to the requesting chief or the board of trustees of a fire protection district any conviction information ~~any record of convictions maintained in the Department's files~~ about those persons. The Department may charge the requesting chief or board of trustees a fee for conducting the criminal history records check. The fee shall be deposited into the State Police Services Fund and shall not exceed the cost of the inquiry ~~a fee, based on actual costs, for the dissemination of conviction information under this Section~~. The Department may prescribe the form and manner for requesting and furnishing conviction information under this Section.

(Source: P.A. 91-371, eff. 1-1-00; 92-16, eff. 6-28-01.)

Section 5. The Fire Protection District Act is amended by changing Section 4a and by adding Section 16.08b as follows:

(70 ILCS 705/4a) (from Ch. 127 1/2, par. 24.1)

Sec. 4a. Change to elected board of trustees; petition; election; ballot; nomination and election of trustees. Any fire protection district organized under this Act may determine, in either manner provided in the following items (1) and (2) of this Section, to have an elected, rather than an appointed, board of trustees.

(1) If the district lies wholly within a single township but does not also lie wholly within a municipality, the township board of trustees may determine, by ordinance, to have an elected board of trustees.

(2) Upon presentation to the board of trustees of a petition, signed by not less than 10% of the electors of the district, requesting that a proposition for the election of trustees be submitted to the electors of the district, the secretary of the board of trustees shall certify the proposition to the appropriate election authorities who shall submit the proposition at a regular election in accordance with the general election law. The general election law shall apply to and govern such election. The proposition shall be in substantially the following form:

Shall the trustees of.....	YES
Fire Protection District be	-----
elected, rather than appointed?	NO

If a majority of the votes cast on such proposition are in the affirmative, the trustees of the district shall thereafter be elected as provided by this Section.

At the next regular election for trustees as provided by the general election law, a district that has approved by ordinance or referendum to have its trustees elected rather than appointed shall elect 3, 5, or 7 trustees, as previously determined by the organization of the district or as increased under Section 4.01 or 4.02. The initial elected trustees shall

be elected for 2, 4, and 6 year terms. In a district with 3 trustees, one trustee shall be elected for a term of 2 years, one for a term of 4 years, and one for a term of 6 years. In a district with 5 trustees, 2 shall be elected for terms of 2 years, 2 for terms of 4 years, and one for a term of 6 years. In a district with 7 trustees, 3 shall be elected for terms of 2 years, 2 for terms of 4 years, and 2 for terms of 6 years. Except as otherwise provided in Section 2A-54 of the Election Code, the term of each elected trustee shall commence on the first Monday of the month following the month of his election and until his successor is elected and qualified. The length of the terms of the trustees first elected shall be determined by lot at their first meeting. Except as otherwise provided in Section 2A-54 of the Election Code, thereafter, each trustee shall be elected to serve for a term of 6 years commencing on the first Monday of the month following the month of his election and until his successor is elected and qualified.

No party designation shall appear on the ballot for election of trustees. The provisions of the general election law shall apply to and govern the nomination and election of trustees.

Nominations for members of the board of trustees shall be made by a petition signed by at least 25 voters or 5% of the voters, whichever is less, residing within the district and shall be filed with the secretary of the board. In addition to the requirements of general election law, the form of the petition shall be as follows:

NOMINATING PETITIONS

To the Secretary of the Board of Trustees of (name of fire protection district):

We, the undersigned, being (number of signatories or 5% or more) of the voters residing within the district, hereby petition that (name of candidate) who resides at (address of candidate) in this district shall be a candidate for the office of (office) of the Board of Trustees (full-term or vacancy) to be voted for at the election to be held (date of election).

The secretary of the board shall notify each candidate for whom a petition for nomination has been filed of their obligations under the Campaign Financing Act, as required by the general election law. The notice shall be given on a form prescribed by the State Board of Elections and in accordance with the requirements of the general election law.

The secretary shall, within 7 days of filing or on the last day for filing, whichever is earlier, acknowledge to the petitioner in writing his acceptance of the petition.

The provisions of Section 4 relating to eligibility, powers and disabilities of trustees shall apply equally to elected trustees.

Whenever a fire protection district determines to elect trustees as provided in this Section, the trustees appointed pursuant to Section 4 shall continue to constitute the board of trustees until the first Monday of the month following the month of the first election of trustees. If the term of office of any appointed trustees expires before the first election of trustees, the authority which appointed that trustee under Section 4 of this Act shall appoint a successor to serve until a successor is elected and has qualified. The terms of all appointed trustees in such district shall expire on the first Monday of the month following the month of the first election of trustees under this Section or when successors have been elected and have qualified, whichever occurs later.

(Source: P.A. 90-358, eff. 1-1-98.)

(70 ILCS 705/16.08b new)

Sec. 16.08b. Emergency medical technician licensure. The board of trustees of a fire protection district may require that all firefighters hired on or after the effective date of this amendatory Act of the 93rd General Assembly by any fire department within the district must be licensed as an EMT-B, EMT-I, or EMT-P under the Emergency Medical Services (EMS) Systems Act.