

1 AN ACT concerning fire protection districts.

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

4 Section 3. The Department of State Police Law of the Civil
5 Administrative Code of Illinois is amended by changing Section
6 2605-330 as follows:

7 (20 ILCS 2605/2605-330) (was 20 ILCS 2605/55a in part)

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

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

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

30 (70 ILCS 705/4a) (from Ch. 127 1/2, par. 24.1)

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

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

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

23 -----
 24 Shall the trustees of..... YES
 25 Fire Protection District be -----
 26 elected, rather than appointed? NO
 27 -----

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

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

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

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

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

28 NOMINATING PETITIONS

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

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

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

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

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

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

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

27 (70 ILCS 705/16.08b new)

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