

1 AN ACT in relation to fire fighters.

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

4 Section 5. The Firemen's Disciplinary Act is amended by  
5 changing Sections 2 and 3.2 as follows:

6 (50 ILCS 745/2) (from Ch. 85, par. 2502)

7 Sec. 2. For the purposes of this Act, unless clearly  
8 required otherwise, the terms defined in this Section have the  
9 meaning ascribed herein:

10 (a) "Fireman" means a person who is a "firefighter" or  
11 "fireman" as defined in Sections 4-106 or 6-106 of the Illinois  
12 Pension Code, and includes a person who is an "employee" as  
13 defined in Section 15-107 of the Illinois Pension Code and  
14 whose primary duties relate to firefighting.

15 (b) "Informal inquiry" means a meeting by supervisory or  
16 command personnel with a fireman upon whom an allegation of  
17 misconduct has come to the attention of such supervisory or  
18 command personnel, the purpose of which meeting is to mediate a  
19 citizen complaint or discuss the facts to determine whether a  
20 formal investigation should be commenced.

21 (c) "Formal investigation" means the process of  
22 investigation ordered by a commanding officer during which the  
23 questioning of a fireman is intended to gather evidence of  
24 misconduct which may be the basis for filing charges seeking  
25 his or her removal, discharge, or suspension from duty in  
26 excess of 24 duty ~~72~~ hours.

27 (d) "Interrogation" means the questioning of a fireman  
28 pursuant to an investigation initiated by the respective State  
29 or local governmental unit in connection with an alleged  
30 violation of such unit's rules which may be the basis for  
31 filing charges seeking his or her suspension, removal, or  
32 discharge. The term does not include questioning as part of an

1 informal inquiry as to allegations of misconduct relating to  
2 minor infractions of agency rules which may be noted on the  
3 fireman's record but which may not in themselves result in  
4 removal, discharge, or suspension from duty in excess of 24  
5 duty ~~72~~ hours.

6 (e) "Administrative proceeding" means any non-judicial  
7 hearing which is authorized to recommend, approve or order the  
8 suspension, removal, or discharge of a fireman.

9 (Source: P.A. 85-606.)

10 (50 ILCS 745/3.2) (from Ch. 85, par. 2505)

11 Sec. 3.2. No fireman shall be subjected to questioning in  
12 relation to an allegation of misconduct without first being  
13 informed in writing of the allegations and whether the  
14 allegations, if proven, involve minor infractions or may result  
15 in removal, discharge, or suspension from duty in excess of 24  
16 duty ~~72~~ hours. If an administrative proceeding is instituted,  
17 the fireman shall be informed beforehand of the names of all  
18 complainants and all information necessary to reasonably  
19 apprise the fireman of the nature of the charges and the  
20 preparation of a defense.

21 (Source: P.A. 85-606.)

22 Section 99. Effective date. This Act takes effect upon  
23 becoming law.