



Rep. Sam Yingling

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09800HB3909ham001

LRB098 15468 JLK 56879 a

1 AMENDMENT TO HOUSE BILL 3909

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3909 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Fire Protection District Act is amended by  
5 adding Section 4c as follows:

6 (70 ILCS 705/4c new)

7 Sec. 4c. Conversion from an appointed board to an elected  
8 board.

9 (a) This Section applies to a fire protection district that  
10 is wholly within, or that has a majority of its territory  
11 within, a county with 500,000 or more inhabitants based on the  
12 most recent federal decennial census, and that has an appointed  
13 board of trustees.

14 (b) When a fire protection district subject to this Section  
15 levies taxes in excess of \$1 million in any year, the appointed  
16 board of trustees shall convert to an elected board of trustees

1 as provided under subsection (c) of this Section.

2 (c) At the next regular election for trustees as provided  
3 by the general election law following the effective date of the  
4 ordinance authorizing a levy in excess of \$1 million under  
5 Section 14 of this Act, a district subject to this Section  
6 shall elect 3, 5, or 7 trustees, as previously determined by  
7 the organization of the district, or as increased or decreased  
8 under the provisions of this Act.

9 The initial elected trustees shall be elected for 2 and 4  
10 year terms. In a district with 3 trustees, one trustee shall be  
11 elected for a term of 2 years, and 2 shall be elected for terms  
12 of 4 years. In a district with 5 trustees, 2 shall be elected  
13 for terms of 2 years, and 3 shall be elected for terms of 4  
14 years. In a district with 7 trustees, 3 shall be elected for  
15 terms of 2 years and 4 shall be elected for terms of 4 years.

16 Except as otherwise provided in Section 2A-54 of the  
17 Election Code, the term of each elected trustee shall commence  
18 on the third Monday of the month following the month of his  
19 election and until his successor is elected and qualified. The  
20 length of the terms of the trustees first elected shall be  
21 determined by lot at their first meeting. Except as otherwise  
22 provided in Section 2A-54 of the Election Code, thereafter,  
23 each trustee shall be elected to serve for a term of 4 years  
24 commencing on the third Monday of the month following the month  
25 of his election and until his successor is elected and  
26 qualified.

1       No party designation shall appear on the ballot for  
2 election of trustees. The provisions of the general election  
3 law shall apply to and govern the nomination and election of  
4 trustees. Nominations for members of the board of trustees  
5 shall be made by a petition signed by at least 25 voters  
6 residing within the district or 5% of the voters residing  
7 within the district, whichever is less, and shall be filed with  
8 the secretary of the board. In addition to the requirements of  
9 general election law, the form of the petition shall be as  
10 follows:

11                               NOMINATING PETITIONS

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

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

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

26       The secretary shall, within 7 days of filing or on the last

1 day for filing, whichever is earlier, acknowledge to the  
2 petitioner in writing his acceptance of the petition.

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

6 Whenever a fire protection district board becomes an  
7 elected board under this Section, the trustees appointed under  
8 Section 4 shall continue to constitute the board of trustees  
9 until the third Monday of the month following the month of the  
10 first election of trustees. If the term of office of any  
11 appointed trustees expires before the first election of  
12 trustees, the authority which appointed that trustee under  
13 Section 4 of this Act shall appoint a successor to serve until  
14 a successor is elected and has qualified. The terms of all  
15 appointed trustees in such district shall expire on the third  
16 Monday of the month following the month of the first election  
17 of trustees under this Section or when successors have been  
18 elected and have qualified, whichever occurs later.

19 (d) A board that has become an elected board under the  
20 provisions of this Section shall not revert to an appointed  
21 board, except under the provisions of Section 4b of this Act,  
22 even if in any future year the district levies \$1 million or  
23 less in taxes.

24 (e) The number of members appointed to a board that has  
25 become an elected board under this Section may only be changed  
26 under subsection (b) or (e) of Section 4.01 of this Act, or

1 under Section 4.02 or 4.04 of this Act.".