

**ILLINOIS ASSOCIATION OF FIRE PROTECTION DISTRICTS
2017 ANNUAL CONFERENCE
PEORIA, ILLINOIS**

UPDATED REPORT OF 2016 LEGISLATION OF THE 99TH GENERAL ASSEMBLY

This summary updates the Fall 2016 Legislative Report and includes Public Acts (Bills Passed by Both Houses of the General Assembly and Approved by the Governor in the 99th General Assembly to date) Advocated by the IAFFD and its Legislative Partners Which Benefit Fire Protection Districts:

- **Public Act 99-0004 (HB 220)** authorizes a rate limit of .10% (now .05%) under Section 24 of the Fire Protection District Act (70 ILCS 705/24) for the funding of emergency and rescue crews and equipment by referendum approval. (Effective Date: 5/31/15) (70 ILCS 705/24)
- **Public Act 99-205 (SB 740)** provides an enforcement mechanism under the Fire Hydrant Act (420 ILCS 20/0.01 et seq.) by adding language which allows a fire protection district to recover the cost of correcting the noncompliance with the provisions of the Act from the responsible party. (Effective Date: 7/30/15) (425 ILCS 20/1)
- **Public Act 99-0837 (HB 5610)** Amends Section 11b of the Fire Protection District Act to make clear that a fire protection district adjoining a municipality (city or village) that discontinues its fire department is not required to assume responsibility for fire protection in that city or village absent the district's agreement to do so by resolution, ordinance, or intergovernmental agreement. (Effective Date: 8/19/16) (70 ILCS 705/116)
- **Public Act 99-811 (HB5611)** Creates a new Section 11l of the Fire Protection District to clarify the authority of the Fire Chief regarding Life Safety Code Enforcement under the Fire Investigation Act and provides a means for enforcement of orders issued by a Fire Chief through that authority by referral to the State's Attorney of the county where the code violation occurs. (Effective Date: 8/15/16) (70 ILCS 705/11l)
- **Public Act 99-715 (HB 6041)** Revises the provisions of Section 16 of the Fire Protection District Act regarding transfers of territory by referendum between adjoining districts. Clarifies the meaning of "serious injury" which would prevent a transfer and provides that a 25% loss of revenue is a serious injury. Also requires a vote in the entire district from which disconnection is sought to authorize the transfer rather than just the area seeking to transfer. (Effective Date: 8/5/16) (70 ILCS 705/16)

Other Public Acts of the 99th General Assembly of varying degrees of interest and importance to fire protection districts include the following:

- **Public Act 99-0006 (SB 96)** substantially modifies the state Emergency Telephone System (9-1-1) structure. Places governance of 9-1-1 systems in a new Office of Statewide 9-1-1 Administrator in the Illinois State Police rather than the Illinois Commerce Commission. Limits the number of local PSAPS and provides for consolidation of existing PSAPS. Revamps funding of 9-1-1 systems to a statewide system. Makes changes concerning the creation and operation of local 9-1-1 boards. Addresses Next Generation 9-1-1 Service. Addresses wireless emergency 9-1-1 service. (Effective Date: 6/29/15) (50 ILCS 750/15-3; 750/19; 750/75; 750/99)
- **Public Act 99-579 (SB 2889)** Amends the Property Tax Code to provide for Electronic notice to units of local government of assessment changes of \$100,000 or more. (Effective Date : 1/1/17) (35 ILCS 200/16-55)

- **Public Act 99-634 (SB 2994)** Requires that on or before January 1, 2017 every county shall submit a report to the General Assembly identifying any local public entity that the county appoints governing board members to including: legal name of entity; principal place of business of entity; description of services provided by the entity; number of members on the governing board; process by which entity was originally created; identification of plans for consolidation or dissolution of the entity; indication of whether entity levies a property tax; if there is no property tax, how the entity is funded. (Effective Date: 7/22/16) (55 ILCS 5/5-44060)
- **Public Act 99-146 (HB 246)** creates a commemorative date on December 23 of each year as “Scott’s Law Day” to honor public safety workers and to remind drivers to slow down and change lanes when encountering an authorized emergency vehicle on the highway. (Effective Date: 1/1/16) (5 ILCS 490/127)
- **Public Act 99-159 (HB 3909)** amends the Property Fire Loss Act to allow the OSFM not to disclose information to an insurance company regarding a fire investigation under certain provisions of the Freedom of Information Act. (Effective Date: 1/1/16) (215 ILCS 145/1)
- **Public Act 99-256 (HB 3184)** amends the Criminal Code regarding the definition of the crime of aggravated assault to include an assault made on a known fireman or EMT while that person is in the performance of his or her duties or in order to prevent him or her from the performance of official duties or in retaliation for the performance of those duties. (Effective Date: 1/1/16) (720 ILCS 5/12-2)
- **Public Act 99-353 (HB 228)** prohibits the legislature from creating any new types of local government for a period of four years from the effective date of the law. (Note: this does not prohibit the formation of new units of local government, such as fire protection districts, by local referendum under existing state laws.) (Effective Date: 1/1/16) (25 ILCS 5/3.2)
- **Public Act 99-367 (SB 792)** requires the posting of notices required under the Truth in Taxation Law on the website of a taxing district which is maintained by full-time personnel. This is in addition to newspaper publication of the notice which is still required. Failure to post on the website will not invalidate the notice or the tax levy based on it. (Effective Date: 1/1/16) (35 ILCS 200/18-75)
- **Public Act 99-372 (HB 2932)** amends the Flag Display Act to add the death of a resident military member during on duty training for active military duty to the list of circumstances when a notice will issue to fly flags at half-staff. (Effective Date: 1/1/16) (5 ILCS 465/10)
- **Public Act 99-402 (HB 175)** extends the time period under the Open Meetings Act during which a complaint of violation of the Act may be made to the Public Access Counselor in the Attorney General’s Office. A complaint may now be made within sixty days of the date the alleged violation is discovered (but not longer than two years after the violation occurred). This expands the time within which a complaint may be made. The law previously required that all complaints to the PAC were required to be submitted within sixty days of the violation. This bill inserts a “discovery rule” provision. (Effective Date: 8/19/15) (5 ILCS 120/3.5)
- **Public Act 99-455 (HB 4006)** creates the George Bailey Memorial Law (also cited as the Burn Victims Relief Act) which provides for a burn victim who is disabled through “no fault of his own” and who has been informed that he has less than 18 months to live to receive the 5 months’ pay that he would have received for Social Security absent the 5 month waiting period that would otherwise apply. Utilizes funds from the Fire Truck Revolving Loan Fund to provide the benefits subject to repayment by the Bailey Memorial Fund from Social Security or settlements or awards to recipients of benefits from the Fund. The Act also amends the Vehicle Code to add Section 16-104d-1 (625 ILCS 5/16-104d-1) which provides for an additional fee of \$35 beginning 1/1/17 (and applicable until 1/1/20) for any person who is convicted, pleads guilty to or placed on supervision for a serious

traffic violation of which \$15 is to be paid to the Fire Prevention Fund and \$15 is to be paid to the Fire Truck Revolving Loan Fund. (Effective Date: 1/1/16)

- **Public Act 99-470 (HB 152)** imposes a requirement for carbon monoxide detectors in public schools. (Effective Date: 1/1/16) (105 ILCS 5/10-20.57)
- **Public Act 99-478 (HB 303)** requires the disclosure under the Freedom of Information Act of severance agreements between public employees and their public employers. (Effective Date: 6/1/16) (5 ILCS 140/2 & 140/2.20)
- **Public Act 99-480 (HB 001)** “Lali’s Law.” Makes multiple statutory changes regarding drug abuse and overdose injuries and prevention including adding Section 5-23(e) to the Alcoholism and Other Drug Abuse and Dependency Act to require all state and local agencies that employ a fireman as that term is defined in the Line of Duty Compensation Act to have opioid antagonists and establish a policy to control the acquisition, storage, transportation and administration of opioids. Does not apply to local agencies which do not respond to emergency medical calls or provide medical services. Also amends the Fire Protection Training Act to add Section 12.5 as a required in service training program (50 ILCS 740/12.5) on the subject. (Effective Date: 9/9/15) (20 ILCS 301/5-23)
- **Public Act 99-709 (HB 229)** Extends the provisions of the Local Government Reduction and Efficiency Division of the Counties Code (55 ILCS 5/5-44010) to Lake and McHenry Counties. This is commonly referred to as the “DuPage Bill” and gives county governments authority to dissolve certain units of local government located wholly within the county and whose governing boards are appointed by the county. (Previously, the law applied only in DuPage County.) (Effective Date: 8/5/16) (55 ILCS 5/5-44010)
- **Public Act 99-604 (HB 4379)** Creates the Local Government Travel Expense Control Act requiring units of local government to regulate travel, meal, and lodging expenses of officers and employees by resolution or ordinance. Must include: (1) Type of official business for which such expenses are allowed; (2) maximum allowable reimbursement for such expenses; (3) standardized form for the submission of such expenses. Expenses may only be reimbursed after a roll call vote of approval by governing body. (Effective Date: 1/1/17) (50 ILCS 150/1, et seq.)
- **Public Act 99-710 (HB 4388)** Amends the Emergency Medical Services (EMS) Act to limit participation of freestanding emergency centers based on 24 hour patient capabilities as determined by the Resource Hospital and IDPH. (Effective Date: 1/1/17) (210 ILCS 50/32.5)
- **Public Act 99-770 (HB 4522)** Amends Section 11f of the Fire Protection District Act to provide that the fee charged to nonresidents may not exceed \$250 per hour regardless of the number of fire apparatus responding to an incident. Does not change the rate or manner of charging for personnel at an incident. (Effective Date: 8/12/16) (Opposed by IAFFD.) (70 ILCS 705/11f)
- **Public Act 99-375 (HB 4630)** Amends the Open Meetings Act to allow access to closed session minutes and recordings of closed sessions of a governing board by duly elected officials or appointed officials filling a vacancy of an elected office in a public body. Effective Date: 6/30/16) (5 ILCS 120/2.06)
- **Public Act 99-586 (HB 4715)** Authorizes a requester under the Freedom of Information Act to file a lawsuit to enforce a binding opinion issued by the Public Access Counselor of the Attorney General’s Office. Provides for a \$1,000 per day penalty for noncompliance with an order for compliance issued in such a court order. (Effective Date: 1/1/17) (5 ILCS 140/11.6)
- **Public Act 99-683 (HB 6030)** Amends the general provisions of the Illinois Pension Code to require that pension funds develop and implement by June 30, 2017 a program to identify deceased annuitants (recipients of pension fund benefits). (Effective Date: 7/29/16) (10 ILCS 5/1-140)

- **Public Act 99-812 (HB 5649)** Extends the provisions concerning Fire Fighters' License Plates to motorcycles having an engine over 150 cc. (Effective Date 1/1/17) (625 ILCS 5/3-634)
- **Public Act 99-714 (HB 5683)** Amends the Open Meetings Act to provide that a judicial action may be filed within 60 days of a decision by the Attorney General if a request for review has been made to the Attorney General and the Attorney General has resolved the request by means other than a issuance of a binding opinion. (Effective Date 8/5/16) (5 ILCS 120/3)
- **Public Act 99-717 (HB 6093)** Amends Section 15-111 of the Vehicle Code (625 ILCS 5/15-111) regarding weight limits on vehicles to establish a maximum weight limits for emergency vehicles including fire apparatus with a maximum of 86,000 pounds and subject to specific axle weight limits. (Effective Date: 8/5/16) (625 ILCS 5/15-111)