

# HB2483



## 98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB2483

by Rep. Dan Brady

### SYNOPSIS AS INTRODUCED:

70 ILCS 705/22

from Ch. 127 1/2, par. 38.5

Amends the Fire Protection District Act. Provides that taxes levied under this Section may also be used for the general operations of a fire protection district, including, but not limited to, emergency services, fire suppression and rescue services. Effective immediately.

LRB098 09770 OMW 39921 b

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Fire Protection District Act is amended by  
5 changing Section 22 as follows:

6 (70 ILCS 705/22) (from Ch. 127 1/2, par. 38.5)

7 Sec. 22. The Board of Trustees of any fire protection  
8 district incorporated under this Act is authorized under the  
9 terms and conditions hereinafter set out, to provide emergency  
10 ambulance service to or from points within or without the  
11 district; to contract with providers of ambulance service; to  
12 combine with other units of governments for the purpose of  
13 providing ambulance service; to levy a tax for the provision of  
14 such service and to adopt rules and regulations relating to  
15 ambulance service within their jurisdiction.

16 (a) It is declared as a matter of public policy:

17 (1) That, in order to preserve, protect and promote the  
18 public health, safety and general welfare, adequate and  
19 continuing emergency ambulance service should be available  
20 to every citizen of Illinois;

21 (2) That, insofar as it is economically feasible,  
22 emergency ambulance service should be provided by private  
23 enterprise; and

1           (3) That, in the event adequate and continuing  
 2 emergency ambulance services do not exist, fire protection  
 3 districts should be authorized to provide, and shall cause  
 4 to be provided, ambulance service as a public  
 5 responsibility.

6           (b) Whenever the Board of Trustees of a fire protection  
 7 district desires to levy a special tax to provide an ambulance  
 8 service, it shall certify the question to the proper election  
 9 officials, who shall submit that question at an election to the  
 10 voters of the district. The result of such referendum shall be  
 11 entered upon the records of the district. If a majority of the  
 12 votes on the proposition are in favor of such proposition, the  
 13 Board of Trustees may thereafter levy a special tax at a rate  
 14 not to exceed .30% of the value of all taxable property within  
 15 the district as equalized or assessed by the Department of  
 16 Revenue. The proposition shall be in substantially the  
 17 following form:

18 -----  
 19           Shall the .... Fire Protection  
 20 District levy a special tax at a rate           YES  
 21 not to exceed .30% of the value of all  
 22 taxable property within the district as -----  
 23 equalized or assessed by the Department  
 24 of Revenue for the purpose of providing       NO  
 25 an ambulance service?  
 26 -----

1 (c) If it appears that a majority of all valid votes cast  
2 on the proposition are in favor of levying a special tax to pay  
3 for an ambulance, the Board of Trustees may levy and collect an  
4 annual tax for the purpose of providing ambulance service under  
5 this Act to be extended at a rate not to exceed .30% of the full  
6 fair cash value of the taxable property within the governmental  
7 unit as assessed or equalized by the Department of Revenue.  
8 Such annual tax shall be in addition to the other taxes a fire  
9 protection district may levy for its corporate purposes.

10 (d) Any Board of trustees may:

- 11 1. Provide or operate an emergency ambulance service;
- 12 2. Contract with a private person, hospital,  
13 corporation or another governmental unit for the provision  
14 and operation of emergency ambulance service or subsidize  
15 the service thereof;
- 16 3. Limit the number of ambulance services;
- 17 4. Within its jurisdiction, fix, charge and collect  
18 fees for emergency ambulance service within or outside of  
19 the fire protection district not exceeding the reasonable  
20 cost of the service;
- 21 5. Establish necessary regulations not inconsistent  
22 with the statutes or regulations of the Department of  
23 Public Health relating to ambulance service;
- 24 6. The trustees shall have the power identified in  
25 paragraphs 3 and 5 only if the district shall have passed  
26 the referendum provided for herein.

1           (e) When any Board of Trustees is authorized prior to  
2 January 1, 1978 to levy and collect an annual tax, for the  
3 purpose of providing ambulance service, at any rate not  
4 exceeding .25% of the full fair cash value of the taxable  
5 property within the governmental unit as equalized or assessed  
6 by the Department of Revenue, such Board of Trustees may by  
7 resolution increase its authority to tax for ambulance purposes  
8 to a rate not to exceed .30%. Such resolution shall be  
9 effective 30 days after its adoption. Notice of such resolution  
10 shall be published twice in a newspaper having a general  
11 circulation within the district at least 20 days and again at  
12 least 10 days prior to the effective date of the resolution.  
13 Such notice shall state that the voters of that fire protection  
14 district, which district shall be described in the notice, have  
15 until 30 days after the adoption of the resolution to file a  
16 petition with the Board of Trustees praying that the question  
17 of the adoption of the resolution be submitted to a vote of the  
18 electors of such territory, and that, if no such petition is  
19 filed, the resolution shall become effective 30 days after its  
20 adoption. The notice also shall state the specific number of  
21 voters required to sign the petition and the date of the  
22 prospective referendum. The district secretary shall provide a  
23 petition form to any individual requesting one. If such a  
24 petition, signed by the voters of the district equal to 10% or  
25 more of the registered voters of the district, is so filed with  
26 the Board of Trustees, then the question of the adoption of the

1 resolution shall be certified to the proper election officials,  
 2 who shall submit the question to a vote of the electors of the  
 3 district at an election in accordance with the general election  
 4 law. If such a petition is filed, the resolution does not take  
 5 effect unless a majority of the votes cast upon the question of  
 6 the adoption of the resolution is in favor of adoption.  
 7 However, if such a petition is determined to be invalid, the  
 8 resolution shall take effect.

9 The result of the election shall be entered upon the  
 10 records of the district. If a majority of the voters vote in  
 11 favor of such resolution, the resolution shall be effective  
 12 immediately. The proposition shall be in substantially the  
 13 following form:

14 -----

15	Shall the Board of Trustees of	
16	the .... Fire Protection District	YES
17	be authorized to increase the	
18	special tax for ambulance service	
19	to a rate not to exceed .30% of	-----
20	the value of all taxable property	
21	within the district as equalized or	
22	assessed by the Department of Revenue	NO
23	for the purpose of providing such service?	

24 -----

25 In this Section, "ambulance service" includes, without  
 26 limitation, pre-hospital medical services. "Pre-hospital

1 medical services" includes emergency services performed by a  
2 paramedic or other on-board emergency personnel that are within  
3 the scope of the provider's license. This amendatory Act of the  
4 95th General Assembly is declarative of existing law.

5 (f) Taxes levied under this Section may also be used for  
6 the general operations of a fire protection district,  
7 including, but not limited to, emergency services, fire  
8 suppression and rescue services.

9 (Source: P.A. 95-497, eff. 1-1-08.)

10 Section 99. Effective date. This Act takes effect upon  
11 becoming law.