



Sen. Martin A. Sandoval

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10000HB5197sam004

LRB100 19037 AWJ 40738 a

1 AMENDMENT TO HOUSE BILL 5197

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5197 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Municipal Code is amended by  
5 changing Section 11-10-2 as follows:

6 (65 ILCS 5/11-10-2) (from Ch. 24, par. 11-10-2)

7 Sec. 11-10-2. (a) A department foreign fire insurance board  
8 shall be created within the fire department of each  
9 municipality with fewer than 500,000 inhabitants that has an  
10 organized fire department. The board shall consist of 7  
11 trustees; the fire chief, who shall hold office by virtue of  
12 rank, and 6 members, who shall be elected at large by the sworn  
13 members of the department. If there is an insufficient number  
14 of candidates to fill all these positions, the number of board  
15 members may be reduced, but not to fewer than 3 trustees. All  
16 members of the department shall be eligible to be elected as

1 officers of the department foreign fire insurance board. The  
2 members of this board shall annually elect officers. These  
3 officers shall be a chairman and a treasurer. The trustees of  
4 the department foreign fire insurance board shall make all  
5 needful rules and regulations with respect to the department  
6 foreign fire insurance board and the management of the money to  
7 be appropriated to the board. The officers of the department  
8 foreign fire insurance board shall develop and maintain a  
9 listing of those items that the board feels are appropriate  
10 expenditures under this Act. The treasurer of the department  
11 foreign fire insurance board shall give a sufficient bond to  
12 the municipality in which the fire department is organized.  
13 This bond shall be approved by the mayor or president, as the  
14 case may be, conditioned upon the faithful performance by the  
15 treasurer of his or her duties under the ordinance and the  
16 rules and regulations provided for in this section. The  
17 treasurer of the department foreign fire insurance board shall  
18 receive the appropriated money and shall pay out the money upon  
19 the order of the department foreign fire insurance board for  
20 the maintenance, use, and benefit of the department. As part of  
21 the annual municipal audit, these funds shall be audited to  
22 verify that the funds have been expended by that board only for  
23 the maintenance, use, and benefit of the department.

24 (b) As used in this subsection, "active member" means a  
25 member of the Chicago Fire Department who is not receiving a  
26 disability pension, retired, or a deferred pensioner of the

1 Firemen's Annuity and Benefit Fund of Chicago.

2 A department foreign fire insurance board is created within  
3 the Chicago Fire Department. The board shall consist of 7  
4 trustees who shall be initially elected on or before January 1,  
5 2019: the fire commissioner, who shall hold office by virtue of  
6 rank, and 6 elected trustees, who shall be elected at large by  
7 the sworn members of the department. If there is an  
8 insufficient number of candidates seeking election to each  
9 vacant trustee position, the number of board members is reduced  
10 to 5 trustees, including the fire commissioner of the  
11 department, until the next election cycle when there are enough  
12 active members seeking election to fill all 7 member seats. All  
13 active members are eligible to be elected as trustees of the  
14 department foreign fire insurance board. Of the trustees first  
15 elected, 3 trustees shall be elected to a 2-year term and 3  
16 trustees shall be elected to a 3-year term. After the initial  
17 election, a trustee shall be elected for a term of 3 years. If  
18 a member of the board resigns, is removed, or is unable to  
19 continue serving on the board, the vacancy shall be filled by  
20 special election of the active members or, in the case of a  
21 vacancy that will exist for fewer than 180 days until the term  
22 expires, by appointment by majority vote of the members of the  
23 board.

24 The members of the board shall annually elect officers.  
25 These officers shall be a chairman, treasurer, and secretary.  
26 The trustees of the board shall make rules and regulations with

1 respect to the board and the management of the money  
2 appropriated to the board. The officers of the board shall  
3 develop and maintain a listing of those items that the board  
4 believes are appropriate expenditures under this subsection.  
5 The treasurer of the board shall give a sufficient bond to the  
6 City of Chicago. The cost of the bond shall be paid out of the  
7 moneys in the board's fund. The bond shall be conditioned upon  
8 the faithful performance by the treasurer of his or her duties  
9 under the rules and regulations provided for in this  
10 subsection. The treasurer of the board shall receive the  
11 appropriated proceeds and shall disburse the proceeds upon the  
12 order of the board for the maintenance, use, and benefit of the  
13 department consistent with this subsection. As part of the  
14 annual municipal audit, these funds shall be audited to verify  
15 that the funds have been expended lawfully by the board  
16 consistent with this subsection.

17 Within 30 days after receipt of any foreign fire insurance  
18 proceeds by the City of Chicago, the City of Chicago shall  
19 transfer the proceeds to the board by depositing the proceeds  
20 into an account determined by the board, except that if the  
21 effective date of this amendatory Act of the 100th General  
22 Assembly is after July 31, 2018, then the City of Chicago  
23 shall, for budget year 2019 only, transfer only 50% of the  
24 proceeds to the board. Notwithstanding any other provision of  
25 law: 50% of the foreign fire insurance proceeds received by the  
26 board shall be used for the maintenance, use, benefit, or

1 enhancement of fire stations or training facilities used by the  
2 active members of the fire department; 25% of the foreign fire  
3 insurance proceeds received by the board shall be used for the  
4 maintenance, use, benefit, or enhancement of emergency  
5 response vehicles, tools, and equipment used by the active  
6 members of the department; and 25% of the foreign fire  
7 insurance proceeds received by the board shall be used for the  
8 maintenance and enhancement of the department and for the use  
9 and benefit of the active members of the department in a manner  
10 otherwise consistent with this subsection. Foreign fire  
11 insurance proceeds may not be used to purchase, maintain, or  
12 enhance personal property of a member of the department, except  
13 for personal property used in the performance of his or her  
14 duties or training activities.

15 (c) The provisions of this Section shall be the exclusive  
16 power of the State, pursuant to subsection (h) of Section 6 of  
17 Article VII of the Constitution.

18 (Source: P.A. 95-807, eff. 8-12-08; 96-505, eff. 8-14-09.)

19 Section 99. Effective date. This Act takes effect upon  
20 becoming law."