



Rep. Kathleen Willis

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10200HB0693ham001

LRB102 12364 AWJ 23973 a

1 AMENDMENT TO HOUSE BILL 693

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 693 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 28 as follows:

6 (70 ILCS 705/28 new)

7 Sec. 28. Dissolution of Bensenville Fire Protection  
8 District #1 into Bensenville Fire Protection District #2;  
9 board of trustee composition.

10 (a) Thirty days after the effective date of this  
11 amendatory Act of the 102nd General Assembly:

12 (1) Bensenville Fire Protection District #1 is  
13 dissolved and all powers, including, but not limited to,  
14 taxing powers, duties, rights, and responsibilities of the  
15 Bensenville Fire Protection District #1 are transferred to  
16 the Bensenville Fire Protection District #2.

1           (2) All books, records, papers, documents, property  
2           (real and personal), contracts, causes of action, and  
3           pending business pertaining to the powers, duties, rights,  
4           and responsibilities shall be transferred from Bensenville  
5           Fire Protection District #1 to Bensenville Fire Protection  
6           District #2, including, but not limited to, material in  
7           electronic or magnetic format and necessary computer  
8           hardware and software.

9           (3) All unexpended moneys from tax levies,  
10           appropriations, and balances and other funds available for  
11           use by Bensenville Fire Protection District #1 shall be  
12           transferred for use by Bensenville Fire Protection  
13           District #2. Unexpended balances so transferred shall be  
14           expended only for the purpose for which the tax levies or  
15           appropriations were originally made.

16           (4) The powers, duties, rights, and responsibilities  
17           transferred from Bensenville Fire Protection District #1  
18           by this amendatory Act of the 102nd General Assembly shall  
19           be vested in and shall be exercised by Bensenville Fire  
20           Protection District #2.

21           (5) This amendatory Act of the 102nd General Assembly  
22           does not affect any act done, ratified, or canceled or any  
23           right occurring or established or any action or proceeding  
24           had or commenced in an administrative, civil, or criminal  
25           cause by Bensenville Fire Protection District #1 before  
26           this amendatory Act of the 102nd General Assembly takes

1 effect; such actions or proceedings may be prosecuted and  
2 continued by Bensenville Fire Protection District #2.

3 (6) The territory of Bensenville Fire Protection  
4 District #1 is transferred to Bensenville Fire Protection  
5 District #2. Any intergovernmental agreements to service  
6 any portion of Bensenville Fire Protection District #1 are  
7 terminated and Bensenville Fire Protection District #2  
8 shall assume all services for the territory formerly of  
9 Bensenville Fire Protection District #1.

10 (b) Beginning on the effective date of this amendatory Act  
11 of the 102nd General Assembly and notwithstanding any other  
12 provision of law, the board of trustees of Bensenville Fire  
13 Protection District #2 shall abide by the following procedures  
14 in determining the levy for all properties within Bensenville  
15 Fire Protection District #2, including those formerly within  
16 Bensenville Fire Protection District #1:

17 (1) Bensenville Fire Protection District #2 will  
18 retain all rights and responsibilities to the 2021 levy  
19 levied by Bensenville Fire Protection District #2.  
20 Additionally, Bensenville Fire Protection District #2  
21 shall assume all rights and responsibilities for the 2021  
22 levy levied by the Bensenville Fire Protection District  
23 #1.

24 (2) For the 2022 tax year, the equalized assessed  
25 valuation of all property in the former Bensenville Fire  
26 Protection District #1 shall be added to the existing

1 valuation of the property in Bensenville Fire Protection  
2 District #2 and be considered new property in every way.

3 (3) Beginning with the 2022 levy, Bensenville Fire  
4 Protection District #2 shall submit one levy for the  
5 entirety of Bensenville Fire Protection District #2,  
6 including those properties received from Bensenville Fire  
7 Protection District #1, as follows:

8 (i) For the 2022 levy year, property within  
9 Bensenville Fire Protection District #2 shall be  
10 levied in accordance with the Property Tax Code. For  
11 this same tax year, property within Bensenville Fire  
12 Protection District #1 will be levied at the same tax  
13 rate as Bensenville Fire Protection District #2;  
14 however, the effective tax rate applied to properties  
15 within Bensenville Fire Protection District #1 shall  
16 not increase more than 50% over the tax rate  
17 previously levied by Bensenville Fire Protection  
18 District #1 in levy year 2021.

19 (ii) For the 2023 levy year, all property within  
20 Bensenville Fire Protection District will be levied at  
21 the same tax rate, including properties formerly  
22 considered part of Bensenville Fire Protection  
23 District #1 and Bensenville Fire Protection District  
24 #2 and the tax rate for the all properties will be  
25 equal.

26 (iii) Beginning with the 2024 levy year and for

1           all future years, all properties within or formerly  
2           within Bensenville Fire Protection District,  
3           Bensenville Fire Protection District #1, and  
4           Bensenville Fire Protection District #2 shall be  
5           levied in accordance with the Property Tax Code.

6           (c) Notwithstanding any other provision of law:

7           (1) On the effective date of this amendatory Act of  
8           the 102nd General Assembly: (i) the board of trustees for  
9           Bensenville Fire Protection District #1 is dissolved, and  
10           (ii) the board of trustees of Bensenville Fire Protection  
11           District #2 is expanded to 5 members, with the current  
12           trustees of the Bensenville Fire Protection District #2  
13           maintaining 3 of these 5 positions and the 2 other trustee  
14           positions appointed as provided in paragraph (2).

15           (2) The remaining 2 positions on the 5-person board of  
16           trustees will be filled by appointment of by the elected  
17           mayor of the Village of Bensenville. The mayor shall  
18           designate one appointee with a term to expire the first  
19           Monday of May 2023 and a second appointee with a term to  
20           expire the first Monday of May 2025. The mayor will  
21           provide subsequent appointments to these 2 positions for  
22           4-year terms expiring on the first Monday in May.

23           (3) Beginning with the consolidated election of 2023,  
24           3 members of the Bensenville Fire Protection District  
25           board of trustees shall be elected. The terms of the 3  
26           members of the board of trustees of the Bensenville Fire

1       Protection District not appointed by the mayor of the  
2       Village of Bensenville are terminated when their  
3       successors are elected and qualified in the consolidated  
4       election of 2023.

5           (4) At the first meeting of the board of trustees of  
6       the Bensenville Fire Protection District after the new  
7       members are elected in 2023 and qualified under paragraph  
8       (3), the 3 elected board members shall draw lots to  
9       determine one member having a 2-year term, one member  
10       having 4-year term, and one member having a 6-year term.  
11       At the conclusion of each elected member's term  
12       thereafter, each member shall be elected for a 6-year  
13       term, in accordance with this Act.

14       (d) Beginning January 1, 2023, Bensenville Fire Protection  
15       District #2 is renamed the Bensenville Fire Protection  
16       District and shall include all properties located within  
17       Bensenville Fire Protection District #2 and those previously  
18       within Bensenville Fire Protection District #1. This change  
19       shall have the effect of only changing the name of the District  
20       and shall not conflict with any other actions within this  
21       Section."