



Rep. Mary Beth Canty

**Filed: 4/1/2024**

10300HB4359ham001

LRB103 35352 AWJ 71334 a

1 AMENDMENT TO HOUSE BILL 4359

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4359 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Fire Protection District Act is amended by  
5 changing Sections 22 and 24 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  
14 of 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:

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

5           (2) That, insofar as it is economically feasible,  
 6           emergency ambulance service should be provided by private  
 7           enterprise; and

8           (3) That, in the event adequate and continuing  
 9           emergency ambulance services do not exist, fire protection  
 10          districts should be authorized to provide, and shall cause  
 11          to be provided, ambulance service as a public  
 12          responsibility.

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

25          -----

26                 Shall the .... Fire Protection

1 District levy a special tax at a rate YES  
 2 not to exceed .30% of the value of all  
 3 taxable property within the district as -----  
 4 equalized or assessed by the Department  
 5 of Revenue for the purpose of providing NO  
 6 an ambulance service?  
 7 -----

8 (b-5) On and after the effective date of this amendatory  
 9 Act of the 98th General Assembly, whenever the Board of  
 10 Trustees of a fire protection district desires to levy a  
 11 special tax to provide an ambulance service, it shall certify  
 12 the question to the proper election officials, who shall  
 13 submit that question at an election to the voters of the  
 14 district. The result of such referendum shall be entered upon  
 15 the records of the district. If a majority of the votes on the  
 16 proposition are in favor of such proposition, the Board of  
 17 Trustees may thereafter levy a special tax at a rate not to  
 18 exceed .40% of the value of all taxable property within the  
 19 district as equalized or assessed by the Department of  
 20 Revenue. The proposition shall be in substantially the  
 21 following form:

22 -----  
 23 Shall the .... Fire Protection  
 24 District levy a special tax at a rate YES  
 25 not to exceed .40% of the value of all  
 26 taxable property within the district as -----

1 equalized or assessed by the Department  
2 of Revenue for the purpose of providing NO  
3 an ambulance service?

4 -----  
5 (c) If it appears that a majority of all valid votes cast  
6 on the proposition are in favor of levying a special tax to pay  
7 for an ambulance, the Board of Trustees may levy and collect an  
8 annual tax for the purpose of providing ambulance service  
9 under this Act to be extended at a rate not to exceed .40% of  
10 the full fair cash value of the taxable property within the  
11 governmental unit as assessed or equalized by the Department  
12 of Revenue. Such annual tax shall be in addition to the other  
13 taxes a fire protection district may levy for its corporate  
14 purposes.

15 (d) Any Board of trustees may:

- 16 1. Provide or operate an emergency ambulance service;
- 17 2. Contract with a private person, hospital,  
18 corporation or another governmental unit for the provision  
19 and operation of emergency ambulance service or subsidize  
20 the service thereof;
- 21 3. Limit the number of ambulance services;
- 22 4. Within its jurisdiction, fix, charge and collect  
23 fees for emergency ambulance service within or outside of  
24 the fire protection district not exceeding the reasonable  
25 cost of the service;
- 26 5. Establish necessary regulations not inconsistent

1 with the statutes or regulations of the Department of  
2 Public Health relating to ambulance service;

3 6. The trustees shall have the power identified in  
4 paragraphs 3 and 5 only if the district shall have passed  
5 the referendum provided for herein.

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

1 petition and the date of the prospective referendum. The  
 2 district secretary shall provide a petition form to any  
 3 individual requesting one. If such a petition, signed by the  
 4 voters of the district equal to 10% or more of the registered  
 5 voters of the district, is so filed with the Board of Trustees,  
 6 then the question of the adoption of the resolution shall be  
 7 certified to the proper election officials, who shall submit  
 8 the question to a vote of the electors of the district at an  
 9 election in accordance with the general election law. If such  
 10 a petition is filed, the resolution does not take effect  
 11 unless a majority of the votes cast upon the question of the  
 12 adoption of the resolution is in favor of adoption. However,  
 13 if such a petition is determined to be invalid, the resolution  
 14 shall take effect.

15 The result of the election shall be entered upon the  
 16 records of the district. If a majority of the voters vote in  
 17 favor of such resolution, the resolution shall be effective  
 18 immediately. The proposition shall be in substantially the  
 19 following form:

20 -----  
 21 Shall the Board of Trustees of  
 22 the .... Fire Protection District YES  
 23 be authorized to increase the  
 24 special tax for ambulance service  
 25 to a rate not to exceed .30% of -----  
 26 the value of all taxable property

1 within the district as equalized or  
2 assessed by the Department of Revenue NO  
3 for the purpose of providing such service?

4 -----  
5 (f) The Board of Trustees may accumulate funds in its  
6 ambulance fund for the purposes of acquiring, building, or  
7 maintaining real property, procuring emergency medical service  
8 vehicles or equipment, or training to provide essential  
9 emergency medical services to the community.

10 (g) In this Section, "ambulance service" includes, without  
11 limitation, pre-hospital medical services. "Pre-hospital  
12 medical services" includes emergency services performed by a  
13 paramedic or other on-board emergency personnel that are  
14 within the scope of the provider's license. This amendatory  
15 Act of the 95th General Assembly is declarative of existing  
16 law.

17 (Source: P.A. 98-319, eff. 8-12-13.)

18 (70 ILCS 705/24) (from Ch. 127 1/2, par. 38.7)

19 Sec. 24. (a) In addition to any other tax authorized by  
20 law, the board of trustees of a fire protection district may,  
21 subject to the requirements of subsections (b) and (c), by  
22 ordinance levy a special annual tax at a rate not exceeding  
23 0.10% of the value, as equalized or assessed by the Department  
24 of Revenue, of all taxable property within the district, for  
25 the purpose of obtaining funds to pay for the costs of

1 emergency and rescue crews and equipment.

2 (b) Whenever the board of trustees of a fire protection  
3 district desires to levy a special tax under this Section, it  
4 shall certify the question to the proper election officials,  
5 who shall submit that question at an election to the voters of  
6 the district in accordance with the general election law. The  
7 result of such referendum shall be entered upon the records of  
8 the district. If a majority of the votes on the proposition are  
9 in favor of such proposition, the board of trustees may  
10 thereafter levy a special tax under this Section at a rate not  
11 to exceed 0.05% of the value of all taxable property within the  
12 district as equalized or assessed by the Department of  
13 Revenue. The proposition shall be in substantially the  
14 following form:

15 -----

16 Shall the ..... Fire Protection  
17 District levy a special tax at a rate  
18 not to exceed 0.05% of the value of YES  
19 all taxable property within the  
20 district as equalized or assessed -----  
21 by the Department of Revenue for  
22 the purpose of providing funds NO  
23 to pay for the costs of emergency  
24 and rescue crews and equipment?

25 -----

26 (c) Whenever the board of trustees of a fire protection



1 district desires to levy a special tax under this Section at a  
 2 rate not to exceed 0.10% of the value of all taxable property  
 3 within the district as equalized or assessed by the Department  
 4 of Revenue, it shall certify the question to the proper  
 5 election officials, who shall submit that question at an  
 6 election to the voters of the district in accordance with the  
 7 general election law. The result of such referendum shall be  
 8 entered upon the records of the district. If a majority of the  
 9 votes on the proposition are in favor of such proposition, the  
 10 board of trustees may thereafter levy a special tax under this  
 11 Section at a rate not to exceed 0.10% of the value of all  
 12 taxable property within the district as equalized or assessed  
 13 by the Department of Revenue. The proposition shall be in  
 14 substantially the following form:

15 -----

16 Shall the ..... Fire  
 17 Protection District levy a YES  
 18 special tax at a rate not to  
 19 exceed 0.10% of the value of  
 20 all taxable property within the -----  
 21 district as equalized or assessed  
 22 by the Department of Revenue  
 23 for the purpose of providing funds NO  
 24 to pay for the costs of emergency  
 25 and rescue crews and equipment?

26 -----

1       (d) The board of trustees may accumulate funds in its  
2 emergency and rescue fund for the purposes of acquiring,  
3 building, or maintaining real property for emergency and  
4 rescue purposes, procuring emergency rescue crews and  
5 equipment, or training to provide essential rescue,  
6 specialized rescue, and technical rescue services to the  
7 community.

8       (Source: P.A. 99-4, eff. 5-31-15; 100-348, eff. 1-1-18.)".