



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB5166

Introduced 2/9/2024, by Rep. Martin J. Moylan

#### SYNOPSIS AS INTRODUCED:

70 ILCS 705/15e new

Amends the Fire Protection District Act. Provides that the Elk Grove Rural Fire Protection District shall be dissolved by operation of law on July 31, 2024. Includes procedures relating to winding up the district, including appointment of a trustee-in-dissolution or receiver to take the place of the board of trustees of the District and wind up the district. Provides that, notwithstanding any other provision of law, board of trustee members of the Elk Grove Rural Fire Protection District serving on October 1, 2023 shall continue as trustees until dissolution of the Elk Grove Rural Fire Protection District or termination of their terms by the appointment of a trustee-in-dissolution or receiver. Provides for the reinstatement of the terms of any trustee serving on October 1, 2023 whose term expired or whose term was vacated between October 1, 2023 and the effective date of the amendatory Act. Effective immediately.

LRB103 39246 AWJ 69398 b

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 adding Section 15e as follows:

6 (70 ILCS 705/15e new)

7 Sec. 15e. Dissolution of Elk Grove Rural Fire Protection  
8 District.

9 (a) The Elk Grove Rural Fire Protection District shall be  
10 dissolved by operation of law on July 31, 2024. The Board of  
11 Trustees of the Elk Grove Rural Fire Protection District shall  
12 close up the business affairs of the Elk Grove Rural Fire  
13 Protection District, including by discharging all of the Elk  
14 Grove Rural Fire Protection District's liabilities and  
15 conveying title of the Elk Grove Rural Fire Protection  
16 District's real and personal property in accordance with the  
17 agreement entered into between the Elk Grove Rural Fire  
18 Protection District, the Village of Mount Prospect, and Elk  
19 Grove Township.

20 After all the debts and obligations of the Elk Grove Rural  
21 Fire Protection District have been satisfied, any remaining  
22 money of the Elk Grove Rural Fire Protection District shall be  
23 transferred to the Village of Mount Prospect on or before July

1 31, 2024 in accordance with the agreement entered into between  
2 the Elk Grove Rural Fire Protection District, the Village of  
3 Mount Prospect, and Elk Grove Township.

4 The Board of Trustees of the Elk Grove Rural Fire  
5 Protection District may adopt one or more resolutions  
6 delegating its authority and obligations to close up the  
7 business affairs of the Elk Grove Rural Fire Protection  
8 District to one or more authorized delegees, who, upon  
9 adoption of such resolution or resolutions and approval of a  
10 court under subsection (c), shall have all the power of the  
11 Board of Trustees delegated through such resolution or  
12 resolutions, including the power to incur and pay, on behalf  
13 of the Elk Grove Rural Fire Protection District and without  
14 further action by the Board of Trustees, all costs and  
15 expenses reasonably necessary to close up the business affairs  
16 of the Elk Grove Rural Fire Protection District. Any such  
17 resolution or resolutions adopted by the Board of Trustees of  
18 the Elk Grove Rural Fire Protection District before the  
19 effective date this amendatory Act of the 103rd General  
20 Assembly that are consistent with this Section are ratified  
21 and authorized.

22 (b) Notwithstanding any other provision of law, board of  
23 trustee members of the Elk Grove Rural Fire Protection  
24 District serving on October 1, 2023 shall continue as  
25 trustees, regardless if they would be otherwise ineligible to  
26 serve as trustees of the District under this Act, until

1 dissolution of the Elk Grove Rural Fire Protection District or  
2 termination of their terms under subsection (c). If, between  
3 October 1, 2023 and the effective date of this amendatory Act  
4 of the 103rd General Assembly, the term of a trustee serving on  
5 October 1, 2023 expired or the trustee vacated the trustee's  
6 position by operation of law or voluntarily, that term of the  
7 trustee is reinstated on the effective date of this amendatory  
8 Act of the 103rd General Assembly.

9 Notwithstanding any other provision of law, including the  
10 Open Meetings Act:

11 (1) Meetings of the board of trustees of the Elk Grove  
12 Rural Fire Protection District may be held in person or by  
13 video or audio conference, telephone call, or other means  
14 of contemporaneous interactive communication as long as  
15 notice of the meetings have been given as provided in the  
16 Open Meetings Act. If the meeting will be held by video or  
17 audio conference, telephone call, or other means of  
18 contemporaneous interactive communication, the notice must  
19 provide information on how members of the public may view  
20 or listen to the meeting and how public comment will be  
21 permitted pursuant to subsection (g) of Section 2.06 of  
22 the Open Meetings Act.

23 (2) The quorum required for a meeting of the board of  
24 trustees of the Elk Grove Rural Fire Protection District  
25 is 2 trustees, whether attending the meeting remotely or  
26 in person. Actions of the board of trustees require

1 approval by 2 trustees of the board.

2 (c) The Elk Grove Rural Fire Protection District may  
3 petition a court to ask for the appointment of one or more  
4 trustees-in-dissolution or receivers to act as its authorized  
5 delegee under subsection (a). Upon the appointment of one or  
6 more trustees-in-dissolution or receivers by a court, the  
7 terms of all board members of the Elk Grove Rural Fire  
8 Protection District are terminated and the  
9 trustees-in-dissolution or receivers have the powers given  
10 under subsection (a) to act in place of the board of trustees.

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