

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 Illinois Fire Protection Training Act is  
5 amended by changing Section 9 as follows:

6 (50 ILCS 740/9) (from Ch. 85, par. 539)

7 Sec. 9. Training participation; funding. All local  
8 governmental agencies and individuals may elect to participate  
9 in the training programs under this Act, subject to the rules  
10 and regulations of the Office. The participation may be for  
11 certification only, or for certification and reimbursement for  
12 training expenses as further provided in this Act. To be  
13 eligible to receive reimbursement for training of individuals,  
14 a local governmental agency shall require by ordinance that a  
15 trainee complete a basic course approved by the Office, and  
16 pass the State test for certification at the basic level within  
17 the probationary period as established by the local  
18 governmental agency. A certified copy of the ordinance must be  
19 on file with the Office.

20 Individuals who have retired from active fire service  
21 duties and are officially affiliated with fire service  
22 training, mutual aid, incident command, fire ground  
23 operations, or staff support for fire service organizations

1 shall not be prohibited from receiving training certification  
2 from the Office on the ground that they are not employed or  
3 otherwise engaged by an organized Illinois fire department if  
4 they otherwise meet the minimum certification standards set by  
5 the Office. Notwithstanding any other rulemaking authority  
6 that may exist, neither the Governor nor any agency or agency  
7 head under the jurisdiction of the Governor has any authority  
8 to make or promulgate rules to implement or enforce the  
9 provisions of this amendatory Act of the 95th General Assembly.  
10 If, however, the Governor believes that rules are necessary to  
11 implement or enforce the provisions of this amendatory Act of  
12 the 95th General Assembly, the Governor may suggest rules to  
13 the General Assembly by filing them with the Clerk of the House  
14 and Secretary of the Senate and by requesting that the General  
15 Assembly authorize such rulemaking by law, enact those  
16 suggested rules into law, or take any other appropriate action  
17 in the General Assembly's discretion. Nothing contained in this  
18 amendatory Act of the 95th General Assembly shall be  
19 interpreted to grant rulemaking authority under any other  
20 Illinois statute where such authority is not otherwise  
21 explicitly given. For the purposes of this amendatory Act of  
22 the 95th General Assembly, "rules" is given the meaning  
23 contained in Section 1-70 of the Illinois Administrative  
24 Procedure Act, and "agency" and "agency head" are given the  
25 meanings contained in Sections 1-20 and 1-25 of the Illinois  
26 Administrative Procedure Act to the extent that such

1 definitions apply to agencies or agency heads under the  
2 jurisdiction of the Governor.

3 The Office may by rule provide for reimbursement funding  
4 for trainees who are volunteers or paid on call fire protection  
5 personnel beyond their probationary period, but not to exceed 3  
6 years from the date of initial employment. The Office may  
7 reimburse for basic or advanced training of individuals who  
8 were permanently employed fire protection personnel prior to  
9 the date of the ordinance. Individuals may receive  
10 reimbursement if employed by a unit of local government that  
11 participates for reimbursement funding and the individual is  
12 otherwise eligible.

13 Failure of any trainee to complete the basic training and  
14 certification within the required period will render that  
15 individual and local governmental agency ineligible for  
16 reimbursement funding for basic training for that individual in  
17 the fiscal year in which his probationary period ends. The  
18 individual may later become certified without reimbursement.

19 Any participating local governmental agency may elect to  
20 withdraw from the training program by repealing the original  
21 ordinance, and a certified copy of the ordinance must be filed  
22 with the Office.

23 (Source: P.A. 90-20, eff. 6-20-97.)

24 Section 99. Effective date. This Act takes effect upon  
25 becoming law.