

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 Township Code is amended by adding Section  
5 14a as follows:

6 (60 ILCS 1/14a new)

7 Sec. 14a. Reimbursement for specialized rescue services. A  
8 township that provides fire protection services may fix,  
9 charge, and collect reasonable fees for specialized rescue  
10 services provided by the township. The total amount collected  
11 may not exceed the reasonable cost of providing those  
12 specialized rescue services and may not, in any event, exceed  
13 \$125 per hour per vehicle and \$35 per hour per firefighter. The  
14 fee may be charged to any of the following parties, but only  
15 after there has been a finding of fault against that party by  
16 the Occupational Safety and Health Administration or the  
17 Illinois Department of Labor:

18 (a) the owner of the property on which the specialized  
19 rescue services occurred;

20 (b) any person involved in an activity that caused or  
21 contributed to the emergency;

22 (c) an individual who is rescued during the emergency  
23 and his or her employer if the person was acting in

1 furtherance of the employer's interests;

2 (d) in cases involving the recovery of property, any  
3 person having control or custody of the property at the  
4 time of the emergency.

5 For the purposes of this Section, the term "specialized  
6 rescue services" includes, but is not limited to, structural  
7 collapse, tactical rescue, high angle rescue, underwater  
8 rescue and recovery, confined space rescue, below grade rescue,  
9 and trench rescue.

10 Section 10. The Illinois Municipal Code is amended by  
11 adding Section 11-6-5 as follows:

12 (65 ILCS 5/11-6-5 new)

13 Sec. 11-6-5. Reimbursement for specialized rescue  
14 services. The corporate authorities of a municipality that  
15 operates a fire department may fix, charge, and collect  
16 reasonable fees for specialized rescue services provided by the  
17 department. The total amount collected may not exceed the  
18 reasonable cost of providing those specialized rescue services  
19 and may not, in any event, exceed \$125 per hour per vehicle and  
20 \$35 per hour per firefighter. The fee may be charged to any of  
21 the following parties, but only after there has been a finding  
22 of fault against that party by the Occupational Safety and  
23 Health Administration or the Illinois Department of Labor:

24 (a) the owner of the property on which the specialized

1 rescue services occurred;

2 (b) any person involved in an activity that caused or  
3 contributed to the emergency;

4 (c) an individual who is rescued during the emergency  
5 and his or her employer if the person was acting in  
6 furtherance of the employer's interests;

7 (d) in cases involving the recovery of property, any  
8 person having control or custody of the property at the  
9 time of the emergency.

10 For the purposes of this Section, the term "specialized  
11 rescue services" includes, but is not limited to, structural  
12 collapse, tactical rescue, high angle rescue, underwater  
13 rescue and recovery, confined space rescue, below grade rescue,  
14 and trench rescue.

15 Section 15. The Fire Protection District Act is amended by  
16 changing Section 22 and by adding Section 25 as follows:

17 (70 ILCS 705/22) (from Ch. 127 1/2, par. 38.5)

18 Sec. 22. The Board of Trustees of any fire protection  
19 district incorporated under this Act is authorized under the  
20 terms and conditions hereinafter set out, to provide emergency  
21 ambulance service to or from points within or without the  
22 district; to contract with providers of ambulance service; to  
23 combine with other units of governments for the purpose of  
24 providing ambulance service; to levy a tax for the provision of

1 such service and to adopt rules and regulations relating to  
2 ambulance service within their jurisdiction.

3 (a) It is declared as a matter of public policy:

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

8 (2) That, insofar as it is economically feasible,  
9 emergency ambulance service should be provided by private  
10 enterprise; and

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

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

1 following form:

2 -----

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

10 -----

11 (c) If it appears that a majority of all valid votes cast  
 12 on the proposition are in favor of levying a special tax to pay  
 13 for an ambulance, the Board of Trustees may levy and collect an  
 14 annual tax for the purpose of providing ambulance service under  
 15 this Act to be extended at a rate not to exceed .30% of the full  
 16 fair cash value of the taxable property within the governmental  
 17 unit as assessed or equalized by the Department of Revenue.  
 18 Such annual tax shall be in addition to the other taxes a fire  
 19 protection district may levy for its corporate purposes.

20 (d) Any Board of trustees may:

- 21 1. Provide or operate an emergency ambulance service;
- 22 2. Contract with a private person, hospital,  
 23 corporation or another governmental unit for the provision  
 24 and operation of emergency ambulance service or subsidize  
 25 the service thereof;
- 26 3. Limit the number of ambulance services;

1           4. Within its jurisdiction, fix, charge and collect  
2 fees for emergency ambulance service within or outside of  
3 the fire protection district not exceeding the reasonable  
4 cost of the service;

5           5. Establish necessary regulations not inconsistent  
6 with the statutes or regulations of the Department of  
7 Public Health relating to ambulance service;

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

11           (e) When any Board of Trustees is authorized prior to  
12 January 1, 1978 to levy and collect an annual tax, for the  
13 purpose of providing ambulance service, at any rate not  
14 exceeding .25% of the full fair cash value of the taxable  
15 property within the governmental unit as equalized or assessed  
16 by the Department of Revenue, such Board of Trustees may by  
17 resolution increase its authority to tax for ambulance purposes  
18 to a rate not to exceed .30%. Such resolution shall be  
19 effective 30 days after its adoption. Notice of such resolution  
20 shall be published twice in a newspaper having a general  
21 circulation within the district at least 20 days and again at  
22 least 10 days prior to the effective date of the resolution.  
23 Such notice shall state that the voters of that fire protection  
24 district, which district shall be described in the notice, have  
25 until 30 days after the adoption of the resolution to file a  
26 petition with the Board of Trustees praying that the question

1 of the adoption of the resolution be submitted to a vote of the  
 2 electors of such territory, and that, if no such petition is  
 3 filed, the resolution shall become effective 30 days after its  
 4 adoption. The notice also shall state the specific number of  
 5 voters required to sign the petition and the date of the  
 6 prospective referendum. The district secretary shall provide a  
 7 petition form to any individual requesting one. If such a  
 8 petition, signed by the voters of the district equal to 10% or  
 9 more of the registered voters of the district, is so filed with  
 10 the Board of Trustees, then the question of the adoption of the  
 11 resolution shall be certified to the proper election officials,  
 12 who shall submit the question to a vote of the electors of the  
 13 district at an election in accordance with the general election  
 14 law. If such a petition is filed, the resolution does not take  
 15 effect unless a majority of the votes cast upon the question of  
 16 the adoption of the resolution is in favor of adoption.  
 17 However, if such a petition is determined to be invalid, the  
 18 resolution shall take effect.

19 The result of the election shall be entered upon the  
 20 records of the district. If a majority of the voters vote in  
 21 favor of such resolution, the resolution shall be effective  
 22 immediately. The proposition shall be in substantially the  
 23 following form:

24 -----

25 Shall the Board of Trustees of  
 26 the .... Fire Protection District

YES

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

8 -----  
9 In this Section, "ambulance service" includes, without  
10 limitation, pre-hospital medical services. "Pre-hospital  
11 medical services" includes emergency services performed by a  
12 paramedic or other on-board emergency personnel that are within  
13 the scope of the provider's license. This amendatory Act of the  
14 95th General Assembly is declarative of existing law.

15 (Source: P.A. 86-1253; 87-767.)

16 (70 ILCS 705/25 new)

17 Sec. 25. Reimbursement for specialized rescue services. A  
18 fire protection district may fix, charge, and collect  
19 reasonable fees for specialized rescue services provided by the  
20 district. The total amount collected may not exceed the  
21 reasonable cost of providing those specialized rescue services  
22 and may not, in any event, exceed \$125 per hour per vehicle and  
23 \$35 per hour per firefighter. The fee may be charged to any of  
24 the following parties, but only after there has been a finding  
25 of fault against that party by the Occupational Safety and



1 Health Administration or the Illinois Department of Labor:

2 (a) the owner of the property on which the specialized  
3 rescue services occurred;

4 (b) any person involved in an activity that caused or  
5 contributed to the emergency;

6 (c) an individual who is rescued during the emergency  
7 and his or her employer if the person was acting in  
8 furtherance of the employer's interests;

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10 person having control or custody of the property at the  
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16 and trench rescue.