



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB4815

Introduced 1/12/2010, by Rep. Robert W. Pritchard

SYNOPSIS AS INTRODUCED:

70 ILCS 705/4.04 new

Amends the Fire Protection District Act. Provides that an elected or appointed 7-member board of trustees of a fire protection district may be decreased to an elected or appointed 5-member or 3-member board by referendum. Sets forth the procedure for decreasing the size of a 7-member board. Specifies the terms of the board members. Provides that the terms of the 7 persons serving on the board at the time of the reduction of the number of members to 5 or 3 shall terminate upon certification of the election results, except that they shall continue to serve until the 5-member or 3-member board is appointed and qualified or elected and qualified. Effective immediately.

LRB096 16805 RLJ 32112 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 4.04 as follows:

6 (70 ILCS 705/4.04 new)

7 Sec. 4.04. Change from a 7-member board to a 5-member or
8 3-member board. In a district governed by an elected or
9 appointed 7-member board, upon presentation of a petition,
10 signed by not less than 5% of the electors of the district
11 governed by the board, requesting that a proposition to
12 decrease the board of trustees to a 5-member or 3-member board
13 be submitted to the electors of the district, the secretary of
14 the board of trustees shall certify the proposition to the
15 appropriate election authorities who shall submit the
16 proposition at a regular election in accordance with the
17 general election law. The general election law shall apply to
18 and govern the election.

19 The election authority must submit the question in
20 substantially the following form:

21 Shall the number of trustees of the fire protection
22 district be decreased from 7 to (5 or 3) members?

23 The election authority must record the votes as "Yes" or "No".

1 If a majority of the votes cast on the proposition are in
2 the affirmative, the board of trustees of the district shall be
3 decreased to a 5-member or 3-member board, as applicable. The
4 terms of the 7 persons serving on the board at the time of the
5 reduction of the number of members to 5 or 3 shall terminate
6 upon certification of the election results, except that they
7 shall continue to serve until the 5-member or 3-member board is
8 appointed and qualified or elected and qualified.

9 In the case of an appointed board, the appointing authority
10 shall within 60 days after the certification of the election
11 results, appoint 3 or 5 trustees, as the case may be, to the
12 board of trustees with terms starting the first Monday in May
13 next following the election where the decrease in the board's
14 size is approved. The terms of the appointed trustees shall be
15 determined by lot at the first board meeting following the
16 election. In the case of a 5-member board, 2 trustees shall
17 have a 3-year term, 2 trustees shall have a 2-year term, and
18 one trustee shall have a one-year term. In the case of a
19 3-member board, one trustee shall have a 3-year term, one
20 trustee shall have a 2-year term, and one trustee shall have a
21 one-year term. Thereafter, all terms shall be for 3 years.

22 In the case of an elected board, 3 or 5 trustees shall be
23 elected at the next election at which fire protection district
24 trustees are to be elected under the general election law. The
25 terms of the trustees shall be determined by lot at the first
26 board meeting following the election. In the case of a 5-member

1 board, 2 elected trustees shall have a 2-year term, 2 trustees
2 shall have a 4-year term, and one trustee shall have a 6-year
3 term. In the case of a 3-member board, one elected trustee
4 shall have a 6-year term, one trustee shall have a 4-year term,
5 and one trustee shall have a 2-year term. Thereafter, the terms
6 of all elected trustees shall be 6 years.

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.