



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB3550

Introduced 2/24/2011, by Rep. Monique D. Davis

#### SYNOPSIS AS INTRODUCED:

50 ILCS 742/35

Amends the Fire Department Promotion Act. Provides that review sessions held after an examination has been given for the purpose of gathering feedback from candidates shall be at no cost to the candidates. Effective immediately.

LRB097 10822 KMW 51292 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 Department Promotion Act is amended by  
5 changing Section 35 as follows:

6 (50 ILCS 742/35)

7 Sec. 35. Written examinations.

8 (a) The appointing authority may not condition eligibility  
9 to take the written examination on the candidate's score on any  
10 of the previous components of the examination. The written  
11 examination for a particular rank shall consist of matters  
12 relating to the duties regularly performed by persons holding  
13 that rank within the department. The examination shall be based  
14 only on the contents of written materials that the appointing  
15 authority has identified and made readily available to  
16 potential examinees at least 90 days before the examination is  
17 administered. The test questions and material must be pertinent  
18 to the particular rank for which the examination is being  
19 given. The written examination shall be administered after the  
20 determination and posting of the seniority list, ascertained  
21 merit points, and subjective evaluation scores. The written  
22 examination shall be administered, the test materials opened,  
23 and the results scored and tabulated.

1 (b) Written examinations shall be graded at the examination  
2 site on the day of the examination immediately upon completion  
3 of the test in front of the observers if such observers are  
4 appointed under Section 25, or if the tests are graded offsite  
5 by a bona fide testing agency, the observers shall witness the  
6 sealing and the shipping of the tests for grading and the  
7 subsequent opening of the scores upon the return from the  
8 testing agency. Every examinee shall have the right (i) to  
9 obtain his or her score on the examination on the day of the  
10 examination or upon the day of its return from the testing  
11 agency (or the appointing authority shall require the testing  
12 agency to mail the individual scores to any address submitted  
13 by the candidates on the day of the examination); and (ii) to  
14 review the answers to the examination that the examiners  
15 consider correct. The appointing authority may hold a review  
16 session after the examination for the purpose of gathering  
17 feedback on the examination from the candidates. The review  
18 sessions shall be at no cost to the candidates.

19 (c) Sample written examinations may be examined by the  
20 appointing authority and members of the department, but no  
21 person in the department or the appointing authority (including  
22 the Chief, Civil Service Commissioners, Board of Fire and  
23 Police Commissioners, Board of Fire Commissioners, or Fire  
24 Protection District Board of Trustees and other appointed or  
25 elected officials) may see or examine the specific questions on  
26 the actual written examination before the examination is

1 administered. If a sample examination is used, actual test  
2 questions shall not be included. It is a violation of this Act  
3 for any member of the department or the appointing authority to  
4 obtain or divulge foreknowledge of the contents of the written  
5 examination before it is administered.

6 (d) Each department shall maintain reading and study  
7 materials for its current written examination and the reading  
8 list for the last 2 written examinations or for a period of 5  
9 years, whichever is less, for each rank and shall make these  
10 materials available and accessible at each duty station.

11 (e) The provisions of this Section do not apply to the  
12 extent that they are in conflict with provisions otherwise  
13 agreed to in a collective bargaining agreement.

14 (Source: P.A. 93-411, eff. 8-4-03.)

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law.