



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB1854

Introduced 2/9/2011, by Sen. Antonio Muñoz

SYNOPSIS AS INTRODUCED:

50 ILCS 742/5
50 ILCS 742/70 new

Amends the Fire Department Promotion Act. Provides that "affected department" does not include a municipality with a population over 1,000,000, unless specifically provided for. Provides that any multi-component promotion exam administered by a fire department in a municipality with a population over 1,000,000 must be completed within 120 days after the date on which the first component is administered. Sets forth the required written notices a municipality must send to each applicant.

LRB097 09731 KMW 49868 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 Department Promotion Act is amended by
5 changing Section 5 and by adding Section 70 as follows:

6 (50 ILCS 742/5)

7 Sec. 5. Definitions. In this Act:

8 "Affected department" or "department" means a full-time
9 municipal fire department that is subject to a collective
10 bargaining agreement or the fire department operated by a
11 full-time fire protection district. The terms do not include
12 fire departments operated by the State, a university, or,
13 unless otherwise specifically provided for, a municipality
14 with a population over 1,000,000 or any unit of local
15 government other than a municipality or fire protection
16 district. The terms also do not include a combined department
17 that was providing both police and firefighting services on
18 January 1, 2002.

19 "Appointing authority" means the Board of Fire and Police
20 Commissioners, Board of Fire Commissioners, Civil Service
21 Commissioners, Superintendent or Department Head, Fire
22 Protection District Board of Trustees, or other entity having
23 the authority to administer and grant promotions in an affected

1 department.

2 "Promotion" means any appointment or advancement to a rank
3 within the affected department (1) for which an examination was
4 required before January 1, 2002; (2) that is included within a
5 bargaining unit; or (3) that is the next rank immediately above
6 the highest rank included within a bargaining unit, provided
7 such rank is not the only rank between the Fire Chief and the
8 highest rank included within the bargaining unit, or is a rank
9 otherwise excepted under item (i), (ii), (iii), (iv), or (v) of
10 this definition. "Promotion" does not include appointments (i)
11 that are for fewer than 180 days; (ii) to the positions of
12 Superintendent, Chief, or other chief executive officer; (iii)
13 to an exclusively administrative or executive rank for which an
14 examination is not required; (iv) to a rank that was exempted
15 by a home rule municipality prior to January 1, 2002, provided
16 that after the effective date of this Act no home rule
17 municipality may exempt any future or existing ranks from the
18 provisions of this Act; or (v) to an administrative rank
19 immediately below the Superintendent, Chief, or other chief
20 executive officer of an affected department, provided such rank
21 shall not be held by more than 2 persons and there is a
22 promoted rank immediately below it. Notwithstanding the
23 exceptions to the definition of "promotion" set forth in items
24 (i), (ii), (iii), (iv), and (v) of this definition, promotions
25 shall include any appointments to ranks covered by the terms of
26 a collective bargaining agreement in effect on the effective

1 date of this Act.

2 "Preliminary promotion list" means the rank order of
3 eligible candidates established in accordance with subsection
4 (b) of Section 20 prior to applicable veteran's preference
5 points. A person on the preliminary promotion list who is
6 eligible for veteran's preference under the laws and agreements
7 applicable to the appointing authority may file a written
8 application for that preference within 10 days after the
9 initial posting of the preliminary promotion list. The
10 preference shall be calculated in accordance with Section 55
11 and applied as an addition to the person's total point score on
12 the examination. The appointing authority shall make
13 adjustments to the preliminary promotion list based on any
14 veteran's preference claimed and the final adjusted promotion
15 list shall then be posted by the appointing authority.

16 "Rank" means any position within the chain of command of a
17 fire department to which employees are regularly assigned to
18 perform duties related to providing fire suppression, fire
19 prevention, or emergency services.

20 "Final adjusted promotion list" means the promotion list
21 for the position that is in effect on the date the position is
22 created or the vacancy occurs. If there is no final adjusted
23 promotion list in effect for that position on that date, or if
24 all persons on the current final adjusted promotion list for
25 that position refuse the promotion, the affected department
26 shall not make a permanent promotion until a new final adjusted

1 promotion list has been prepared in accordance with this Act,
2 but may make a temporary appointment to fill the vacancy.
3 Temporary appointments shall not exceed 180 days.

4 Each component of the promotional test shall be scored on a
5 scale of 100 points. The component scores shall then be reduced
6 by the weighting factor assigned to the component on the test
7 and the scores of all components shall be added to produce a
8 total score based on a scale of 100 points.

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

10 (50 ILCS 742/70 new)

11 Sec. 70. Municipalities with populations over 1,000,000.
12 Except as otherwise provided in this Section, a fire department
13 in a municipality with a population over 1,000,000 is exempt
14 from the provisions of the Fire Department Promotion Act. Any
15 promotion examination that consists of more than one component,
16 must be completed in its entirety within 120 days after the
17 date on which the first component is administered to
18 promotional applicants. Upon completion of the administration
19 of the last component of a multi-component promotion
20 examination, or upon completion of the administration of a
21 single component promotion examination, the municipality has
22 90 days to provide to each applicant written notice of that
23 applicant's (i) score on each component of the examination and
24 (ii) combined or aggregated score on a multi-component
25 examination.