

**97TH GENERAL ASSEMBLY****State of Illinois****2011 and 2012****SB3373**

Introduced 2/7/2012, by Sen. Terry Link

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Finance Authority Act. Provides that the Comptroller shall order transferred and the Treasurer shall transfer all amounts remaining in the Fire Truck Revolving Loan Fund, the Fire Station Revolving Loan Fund, and the Ambulance Revolving Loan Fund to the Fire and Ambulance Services Revolving Loan Fund. Repeals the Fire Truck Revolving Loan Fund, the Fire Station Revolving Loan Fund, and the Ambulance Revolving Loan Fund. Amends the State Finance Act. Creates the Fire and Ambulance Services Revolving Loan Fund as a special fund in the State treasury. Provides that the Fund shall be used for (i) loans to fire departments and fire protections districts to purchase fire trucks, (ii) loans to fire departments and fire protection districts to construct fire stations, and (iii) loans to fire departments, fire protection districts, and non-profit ambulance services to purchase ambulances. Amends the Fire Investigation Act. Provides that the Fire Prevention Fund shall be used for grants awarded under the Small Fire-fighting and Ambulance Equipment Grant Program. Provides that, each month, \$5.50 from each fine deposited into the Fire Prevention Fund shall be transferred to the Fire and Ambulance Services Revolving Loan Fund (now, \$1.50 to the Fire Truck Revolving Loan Fund and \$4 to the Ambulance Revolving Loan Fund). Amends the Illinois Vehicle Code. Provides that \$15 of a fee imposed upon a person who is convicted of, pleads guilty to, or is placed on supervision for a serious traffic violation shall be deposited into the Fire and Ambulance Services Revolving Loan Fund (now, the Fire Truck Revolving Loan Fund). Amends the Unified Code of Corrections. Provides that an additional fine imposed upon a person convicted of arson shall be deposited into the Fire Prevention Fund (now, the Fire Service and Small Equipment Fund).

LRB097 18408 PJG 63634 b

FISCAL NOTE ACT
MAY APPLY**A BILL FOR**

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Finance Authority Act is amended by
5 changing Sections 825-80, 825-81, and 825-85 as follows:

6 (20 ILCS 3501/825-80)

7 Sec. 825-80. Fire truck revolving loan program.

8 (a) This Section is a continuation and re-enactment of the
9 fire truck revolving loan program enacted as Section 3-27 of
10 the Rural Bond Bank Act by Public Act 93-35, effective June 24,
11 2003, and repealed by Public Act 93-205, effective January 1,
12 2004. Under the Rural Bond Bank Act, the program was
13 administered by the Rural Bond Bank and the State Fire Marshal.

14 (b) The Authority and the State Fire Marshal shall jointly
15 administer a fire truck revolving loan program. The program
16 shall provide zero-interest loans for the purchase of fire
17 trucks by a fire department, a fire protection district, or a
18 township fire department. The Authority shall make loans based
19 on need, as determined by the State Fire Marshal.

20 (c) The loan funds, subject to appropriation, shall be paid
21 out of the Fire and Ambulance Services ~~Truck~~ Revolving Loan
22 Fund, a special fund in the State Treasury. As soon as
23 practical after the effective date of this amendatory Act of

1 the 97th General Assembly, the Comptroller shall order
2 transferred and the Treasurer shall transfer all amounts
3 remaining in the Fire Truck Revolving Loan Fund to the Fire and
4 Ambulance Services Revolving Loan Fund. ~~The Fund shall consist~~
5 ~~of any moneys transferred or appropriated into the Fund, as~~
6 ~~well as all repayments of loans made under the program and any~~
7 ~~balance existing in the Fund on the effective date of this~~
8 ~~Section. The Fund shall be used for loans to fire departments~~
9 ~~and fire protection districts to purchase fire trucks and for~~
10 ~~no other purpose. All interest earned on moneys in the Fund~~
11 ~~shall be deposited into the Fund.~~

12 (d) A loan for the purchase of fire trucks may not exceed
13 \$250,000 to any fire department or fire protection district.
14 The repayment period for the loan may not exceed 20 years. The
15 fire department or fire protection district shall repay each
16 year at least 5% of the principal amount borrowed or the
17 remaining balance of the loan, whichever is less. All
18 repayments of loans shall be deposited into the Fire and
19 Ambulance Services ~~Truck~~ Revolving Loan Fund.

20 (e) The Authority and the State Fire Marshal shall adopt
21 rules to administer the program.

22 (f) Notwithstanding the repeal of Section 3-27 of the Rural
23 Bond Bank Act, all otherwise lawful actions taken on or after
24 January 1, 2004 and before the effective date of this Section
25 by any person under the authority originally granted by that
26 Section 3-27, including without limitation the granting,

1 acceptance, and repayment of loans for the purchase of fire
2 trucks, are hereby validated, and the rights and obligations of
3 all parties to any such loan are hereby acknowledged and
4 confirmed.

5 (Source: P.A. 94-221, eff. 7-14-05.)

6 (20 ILCS 3501/825-81)

7 Sec. 825-81. Fire station revolving loan program.

8 (a) The Authority and the State Fire Marshal may jointly
9 administer a fire station revolving loan program. The program
10 may provide zero-interest loans for the construction,
11 rehabilitation, remodeling, or expansion of a fire station or
12 the acquisition of land for the construction or expansion of a
13 fire station by a fire department, a fire protection district,
14 or a township fire department. Once the program receives
15 funding, the Authority shall make loans based on need, as
16 determined by the State Fire Marshal.

17 (b) The loan funds, subject to appropriation, may be paid
18 out of the Fire and Ambulance Services ~~Station~~ Revolving Loan
19 Fund, a special fund in the State treasury. As soon as
20 practical after the effective date of this amendatory Act of
21 the 97th General Assembly, the Comptroller shall order
22 transferred and the Treasurer shall transfer all amounts
23 remaining in the Fire Station Revolving Loan Fund to the Fire
24 and Ambulance Services Revolving Loan Fund. ~~The Fund may~~
25 ~~consist of any moneys transferred or appropriated into the~~

1 ~~Fund, as well as all repayments of loans made under the~~
2 ~~program. Once the program receives funding, the Fund may be~~
3 ~~used for loans to fire departments and fire protection~~
4 ~~districts to construct, rehabilitate, remodel, or expand fire~~
5 ~~stations or acquire land for the construction or expansion of~~
6 ~~fire stations and for no other purpose. All interest earned on~~
7 ~~moneys in the Fund shall be deposited into the Fund.~~

8 (c) A loan under the program may not exceed \$2,000,000 to
9 any fire department or fire protection district. The repayment
10 period for the loan may not exceed 25 years. The fire
11 department or fire protection district shall repay each year at
12 least 4% of the principal amount borrowed or the remaining
13 balance of the loan, whichever is less. All repayments of loans
14 shall be deposited into the Fire and Ambulance Services Station
15 Revolving Loan Fund.

16 (Source: P.A. 96-135, eff. 8-7-09; 96-1172, eff. 7-22-10.)

17 (20 ILCS 3501/825-85)

18 Sec. 825-85. Ambulance revolving loan program.

19 (a) The Authority and the State Fire Marshal shall jointly
20 administer an ambulance revolving loan program. The program
21 shall provide zero-interest loans for the purchase of
22 ambulances by a fire department, a fire protection district, a
23 township fire department, or a non-profit ambulance service.
24 The Authority shall make loans based on need, as determined by
25 the State Fire Marshal.

1 (b) The loan funds, subject to appropriation, shall be paid
2 out of the Fire and Ambulance Services Revolving Loan Fund, a
3 special fund in the State treasury. As soon as practical after
4 the effective date of this amendatory Act of the 97th General
5 Assembly, the Comptroller shall order transferred and the
6 Treasurer shall transfer all amounts remaining in the Ambulance
7 Revolving Loan Fund to the Fire and Ambulance Services
8 Revolving Loan Fund. The Fund shall consist of any moneys
9 transferred or appropriated into the Fund, as well as all
10 repayments of loans made under the program. The Fund shall be
11 used for loans to fire departments, fire protection districts,
12 and non-profit ambulance services to purchase ambulances and
13 for no other purpose. All interest earned on moneys in the Fund
14 shall be deposited into the Fund.

15 (c) A loan for the purchase of ambulances may not exceed
16 \$100,000 to any fire department, fire protection district, or
17 non-profit ambulance service. The repayment period for the loan
18 may not exceed 10 years. The fire department, fire protection
19 district, or non-profit ambulance service` shall repay each
20 year at least 5% of the principal amount borrowed or the
21 remaining balance of the loan, whichever is less. All
22 repayments of loans shall be deposited into the Fire and
23 Ambulance Services Revolving Loan Fund.

24 (d) The Authority and the State Fire Marshal shall adopt
25 rules to administer the program.

26 (Source: P.A. 94-829, eff. 6-5-06.)

1 Section 10. The State Finance Act is amended by adding
2 Sections 5.811 and 6z-93 as follows:

3 (30 ILCS 105/5.811 new)

4 Sec. 5.811. The Fire and Ambulance Services Revolving Loan
5 Fund.

6 (30 ILCS 105/6z-93 new)

7 Sec. 6z-93. The Fire and Ambulance Services Revolving Loan
8 Fund; creation. The Fire and Ambulance Services Revolving Loan
9 Fund is created as a special fund in the State treasury. The
10 Fund shall consist of any moneys transferred or appropriated
11 into the Fund, as well as all repayments of loans made under
12 Sections 825-80, 825-81, or 825-85 of the Illinois Finance
13 Authority Act. The Fund shall be used for:

14 (1) loans to fire departments and fire protection
15 districts to purchase fire trucks;

16 (2) loans to fire departments and fire protection
17 districts to construct, rehabilitate, remodel, or expand
18 fire stations or acquire land for the construction or
19 expansion of fire stations; and

20 (3) loans to fire departments, fire protection
21 districts, and non-profit ambulance services to purchase
22 ambulances.

23 All interest earned on moneys in the Fund shall be deposited

1 into the Fund.

2 (30 ILCS 105/5.598 rep.)

3 (30 ILCS 105/5.667 rep.)

4 (30 ILCS 105/5.727 rep.)

5 Section 15. The State Finance Act is amended by repealing
6 Sections 5.598, 5.667, and 5.727.

7 Section 20. The Fire Investigation Act is amended by
8 changing Section 13.1 as follows:

9 (425 ILCS 25/13.1) (from Ch. 127 1/2, par. 17.1)

10 Sec. 13.1. Fire Prevention Fund.

11 (a) There shall be a special fund in the State Treasury
12 known as the Fire Prevention Fund.

13 (b) The following moneys shall be deposited into the Fund:

14 (1) Moneys received by the Department of Insurance
15 under Section 12 of this Act.

16 (2) All fees and reimbursements received by the Office
17 of the State Fire Marshal.

18 (3) All receipts from boiler and pressure vessel
19 certification, as provided in Section 13 of the Boiler and
20 Pressure Vessel Safety Act.

21 (4) Such other moneys as may be provided by law.

22 (c) The moneys in the Fire Prevention Fund shall be used,
23 subject to appropriation, for the following purposes:

1 (1) Of the moneys deposited into the fund under Section
2 12 of this Act, 12.5% shall be available for the
3 maintenance of the Illinois Fire Service Institute and the
4 expenses, facilities, and structures incident thereto, and
5 for making transfers into the General Obligation Bond
6 Retirement and Interest Fund for debt service requirements
7 on bonds issued by the State of Illinois after January 1,
8 1986 for the purpose of constructing a training facility
9 for use by the Institute. An additional 2.5% of the moneys
10 deposited into the Fire Prevention Fund shall be available
11 to the Illinois Fire Service Institute for support of the
12 Cornerstone Training Program.

13 (2) Of the moneys deposited into the Fund under Section
14 12 of this Act, 10% shall be available for the maintenance
15 of the Chicago Fire Department Training Program and the
16 expenses, facilities and structures incident thereto, in
17 addition to any moneys payable from the Fund to the City of
18 Chicago pursuant to the Illinois Fire Protection Training
19 Act.

20 (3) For making payments to local governmental agencies
21 and individuals pursuant to Section 10 of the Illinois Fire
22 Protection Training Act.

23 (4) For the maintenance and operation of the Office of
24 the State Fire Marshal, and the expenses incident thereto.

25 (4.5) For the maintenance, operation, and capital
26 expenses of the Mutual Aid Box Alarm System (MABAS).

1 (4.6) For grants awarded by the Small Fire-fighting and
2 Ambulance Service Equipment Grant Program established by
3 Section 2.7 of the State Fire Marshal Act.

4 (5) For any other purpose authorized by law.

5 (c-5) As soon as possible after the effective date of this
6 amendatory Act of the 95th General Assembly, the Comptroller
7 shall order the transfer and the Treasurer shall transfer
8 \$2,000,000 from the Fire Prevention Fund to the Fire Service
9 and Small Equipment Fund, \$9,000,000 from the Fire Prevention
10 Fund to the Fire Truck Revolving Loan Fund, and \$4,000,000 from
11 the Fire Prevention Fund to the Ambulance Revolving Loan Fund.
12 Beginning on July 1, 2008, each month, or as soon as practical
13 thereafter, an amount equal to \$2 from each fine received shall
14 be transferred from the Fire Prevention Fund to the Fire
15 Service and Small Equipment Fund, and an amount equal to \$5.50
16 ~~\$1.50~~ from each fine received shall be transferred from the
17 Fire Prevention Fund to the Fire and Ambulance Services Truck
18 Revolving Loan Fund, ~~and an amount equal to \$4 from each fine~~
19 ~~received shall be transferred from the Fire Prevention Fund to~~
20 ~~the Ambulance Revolving Loan Fund.~~ These moneys shall be
21 transferred from the moneys deposited into the Fire Prevention
22 Fund pursuant to Public Act 95-154, together with not more than
23 25% of any unspent appropriations from the prior fiscal year.
24 These moneys may be allocated to the Fire and Ambulance
25 Services Truck Revolving Loan Fund, ~~Ambulance Revolving Loan~~
26 ~~Fund,~~ and Fire Service and Small Equipment Fund at the

1 discretion of the Office of the State Fire Marshal for the
2 purpose of implementation of this Act.

3 (d) Any portion of the Fire Prevention Fund remaining
4 unexpended at the end of any fiscal year which is not needed
5 for the maintenance and expenses of the Office of the State
6 Fire Marshal or the maintenance and expenses of the Illinois
7 Fire Service Institute, shall remain in the Fire Prevention
8 Fund for the exclusive and restricted uses provided in
9 subsections (c) and (c-5) of this Section.

10 (e) The Office of the State Fire Marshal shall keep on file
11 an itemized statement of all expenses incurred which are
12 payable from the Fund, other than expenses incurred by the
13 Illinois Fire Service Institute, and shall approve all vouchers
14 issued therefor before they are submitted to the State
15 Comptroller for payment. Such vouchers shall be allowed and
16 paid in the same manner as other claims against the State.

17 (Source: P.A. 96-286, eff. 8-11-09; 96-1176, eff. 7-22-10;
18 97-114, eff. 1-1-12.)

19 Section 25. The Illinois Vehicle Code is amended by
20 changing Section 16-104d as follows:

21 (625 ILCS 5/16-104d)

22 Sec. 16-104d. Additional fee; serious traffic violation.
23 Any person who is convicted of, pleads guilty to, or is placed
24 on supervision for a serious traffic violation, as defined in

1 Section 1-187.001 of this Code, a violation of Section 11-501
2 of this Code, or a violation of a similar provision of a local
3 ordinance shall pay an additional fee of \$35. Of that fee, \$15
4 shall be deposited into the Fire Prevention Fund in the State
5 treasury, \$15 shall be deposited into the Fire and Ambulance
6 Services ~~Truck~~ Revolving Loan Fund in the State treasury, and
7 \$5 shall be deposited into the Circuit Court Clerk Operation
8 and Administrative Fund created by the Clerk of the Circuit
9 Court.

10 This Section becomes inoperative 7 years after the
11 effective date of this amendatory Act of the 95th General
12 Assembly.

13 (Source: P.A. 95-154, eff. 10-13-07; 96-286, eff. 8-11-09;
14 96-1175, eff. 9-20-10.)

15 Section 30. The Unified Code of Corrections is amended by
16 changing Section 5-9-1.12 as follows:

17 (730 ILCS 5/5-9-1.12)

18 Sec. 5-9-1.12. Arson fines.

19 (a) In addition to any other penalty imposed, a fine of
20 \$500 shall be imposed upon a person convicted of the offense of
21 arson, residential arson, or aggravated arson.

22 (b) The additional fine shall be assessed by the court
23 imposing sentence and shall be collected by the Circuit Clerk
24 in addition to the fine, if any, and costs in the case. Each

1 such additional fine shall be remitted by the Circuit Clerk
2 within one month after receipt to the State Treasurer for
3 deposit into the Fire Prevention Service and Small Equipment
4 Fund. The Circuit Clerk shall retain 10% of such fine to cover
5 the costs incurred in administering and enforcing this Section.
6 The additional fine may not be considered a part of the fine
7 for purposes of any reduction in the fine for time served
8 either before or after sentencing. Arson fines that were
9 previously deposited into the Fire Prevention Fund prior to the
10 adoption of Public Act 96-400 shall be used according to the
11 purposes established in Section 13.1 of the Fire Investigation
12 Act.

13 (c) (Blank) ~~The moneys in the Fire Service and Small~~
14 ~~Equipment Fund collected as additional fines under this Section~~
15 ~~shall be distributed by the Office of the State Fire Marshal as~~
16 ~~appropriated and according to the rules set forth and adopted~~
17 ~~under the Emergency Services Response Reimbursement for~~
18 ~~Criminal Convictions Act.~~

19 (d) (Blank).

20 (Source: P.A. 95-331, eff. 8-21-07; 96-400, eff. 8-13-09.)

1 INDEX

2 Statutes amended in order of appearance

3 20 ILCS 3501/825-80

4 20 ILCS 3501/825-81

5 20 ILCS 3501/825-85

6 30 ILCS 105/5.811 new

7 30 ILCS 105/6z-93 new

8 30 ILCS 105/5.598 rep.

9 30 ILCS 105/5.667 rep.

10 30 ILCS 105/5.727 rep.

11 425 ILCS 25/13.1 from Ch. 127 1/2, par. 17.1

12 625 ILCS 5/16-104d

13 730 ILCS 5/5-9-1.12