



Rep. Eddie Lee Jackson, Sr.

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LRB097 18408 PJG 68580 a

1 AMENDMENT TO SENATE BILL 3373

2 AMENDMENT NO. _____. Amend Senate Bill 3373 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Fire Marshal Act is amended by
5 changing Section 2.7 as follows:

6 (20 ILCS 2905/2.7)

7 Sec. 2.7. Small Fire-fighting and Ambulance Service
8 Equipment Grant Program.

9 (a) The Office shall establish and administer a Small
10 Fire-fighting and Ambulance Service Equipment Grant Program to
11 award grants to fire departments, fire protection districts,
12 and volunteer, non-profit, stand alone ambulance services for
13 the purchase of small fire-fighting and ambulance equipment.

14 (b) (Blank). ~~The Fire Service and Small Equipment Fund is~~
15 ~~created as a special fund in the State treasury. From~~
16 ~~appropriations, the Office may expend moneys from the Fund for~~

1 ~~the grant program under subsection (a) of this Section. Moneys~~
2 ~~received for the purposes of this Section, including, without~~
3 ~~limitation, proceeds deposited under the Fire Investigation~~
4 ~~Act and gifts, grants, and awards from any public or private~~
5 ~~entity must be deposited into the Fund. Any interest earned on~~
6 ~~moneys in the Fund must be deposited into the Fund.~~

7 (b-1) The Fire Service and Small Equipment Fund is
8 dissolved. Any moneys remaining in the Fund on the effective
9 date of this amendatory Act of the 97th General Assembly shall
10 be transferred to the Fire Prevention Fund.

11 (c) As used in this Section, "small fire-fighting and
12 ambulance equipment" includes, without limitation, turnout
13 gear, air packs, thermal imaging cameras, jaws of life,
14 defibrillators, communications equipment, including but not
15 limited to pagers and radios, and other fire-fighting or life
16 saving equipment, as determined by the State Fire Marshal.

17 (d) The Office shall adopt any rules necessary for the
18 implementation and administration of this Section.

19 (Source: P.A. 95-717, eff. 4-8-08; 96-386, eff. 8-13-09.)

20 Section 10. The Illinois Finance Authority Act is amended
21 by changing Sections 825-80, 825-81, and 825-85 and by adding
22 Section 825-87 as follows:

23 (20 ILCS 3501/825-80)

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

1 (a) This Section is a continuation and re-enactment of the
2 fire truck revolving loan program enacted as Section 3-27 of
3 the Rural Bond Bank Act by Public Act 93-35, effective June 24,
4 2003, and repealed by Public Act 93-205, effective January 1,
5 2004. Under the Rural Bond Bank Act, the program was
6 administered by the Rural Bond Bank and the State Fire Marshal.

7 (b) The Authority and the State Fire Marshal may ~~shall~~
8 jointly administer a fire truck revolving loan program. The
9 program shall, in instances where sufficient loan funds exist
10 to permit applications to be accepted, provide zero-interest
11 and low-interest loans for the purchase of fire trucks by a
12 fire department, a fire protection district, or a township fire
13 department. The Authority shall make loans based on need, as
14 determined by the State Fire Marshal.

15 (c) The loan funds, subject to appropriation, shall be paid
16 out of the Fire Truck Revolving Loan Fund, a special fund in
17 the State Treasury. The Fund shall consist of any moneys
18 transferred or appropriated into the Fund, as well as all
19 repayments of loans made under the program and any balance
20 existing in the Fund on the effective date of this Section. The
21 Fund shall be used for loans to fire departments and fire
22 protection districts to purchase fire trucks and for no other
23 purpose. All interest earned on moneys in the Fund shall be
24 deposited into the Fund. As soon as practical after the
25 effective date of this amendatory Act of the 97th General
26 Assembly, all moneys in the Fire Truck Revolving Loan Fund

1 shall be paid by the State Fire Marshal to the Authority, and,
2 on and after the effective date of this amendatory Act of the
3 97th General Assembly, all future moneys deposited into the
4 Fire Truck Revolving Loan Fund under this Section shall be paid
5 by the State Fire Marshal to the Authority under the continuing
6 appropriation provision of subsection (c-1) of this Section;
7 provided that the Authority and the State Fire Marshal enter
8 into an intergovernmental agreement to use the moneys
9 transferred to the Authority from the Fund solely for the
10 purposes for which the moneys would otherwise be used under
11 this Section and to set forth procedures to otherwise
12 administer the use of the moneys.

13 (c-1) There is hereby appropriated, on a continuing annual
14 basis in each fiscal year, from the Fire Truck Revolving Loan
15 Fund, the amount, if any, of funds received into the Fire Truck
16 Revolving Loan Fund to the State Fire Marshal for payment to
17 the Authority for the purposes for which the moneys would
18 otherwise be used under this Section.

19 (d) A loan for the purchase of fire trucks may not exceed
20 \$250,000 to any fire department or fire protection district.
21 The repayment period for the loan may not exceed 20 years. The
22 fire department or fire protection district shall repay each
23 year at least 5% of the principal amount borrowed or the
24 remaining balance of the loan, whichever is less. All
25 repayments of loans shall be deposited into the Fire Truck
26 Revolving Loan Fund.

1 (e) The Authority and the State Fire Marshal may ~~shall~~
2 adopt rules in accordance with the Illinois Administrative
3 Procedure Act to administer the program.

4 (f) Notwithstanding the repeal of Section 3-27 of the Rural
5 Bond Bank Act, all otherwise lawful actions taken on or after
6 January 1, 2004 and before the effective date of this Section
7 by any person under the authority originally granted by that
8 Section 3-27, including without limitation the granting,
9 acceptance, and repayment of loans for the purchase of fire
10 trucks, are hereby validated, and the rights and obligations of
11 all parties to any such loan are hereby acknowledged and
12 confirmed.

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

14 (20 ILCS 3501/825-81)

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

16 (a) The Authority and the State Fire Marshal may jointly
17 administer a fire station revolving loan program. The program
18 shall, in instances where sufficient loan funds exist to permit
19 applications to be accepted, ~~may~~ provide zero-interest and
20 low-interest loans for the construction, rehabilitation,
21 remodeling, or expansion of a fire station or the acquisition
22 of land for the construction or expansion of a fire station by
23 a fire department, a fire protection district, or a township
24 fire department. Once the program receives funding, the
25 Authority shall make loans based on need, as determined by the

1 State Fire Marshal.

2 (b) The loan funds, subject to appropriation, may be paid
3 out of the Fire Station Revolving Loan Fund, a special fund in
4 the State treasury. The Fund may consist of any moneys
5 transferred or appropriated into the Fund, as well as all
6 repayments of loans made under the program. Once the program
7 receives funding, the Fund may be used for loans to fire
8 departments and fire protection districts to construct,
9 rehabilitate, remodel, or expand fire stations or acquire land
10 for the construction or expansion of fire stations and for no
11 other purpose. All interest earned on moneys in the Fund shall
12 be deposited into the Fund. As soon as practical after the
13 effective date of this amendatory Act of the 97th General
14 Assembly, all moneys in the Fire Station Revolving Loan Fund
15 shall be paid by the State Fire Marshal to the Authority, and,
16 on and after the effective date of this amendatory Act of the
17 97th General Assembly, all future moneys deposited into the
18 Fire Station Revolving Loan Fund under this Section shall be
19 paid by the State Fire Marshal to the Authority under the
20 continuing appropriation provision of subsection (b-1) of this
21 Section; provided that the Authority and the State Fire Marshal
22 enter into an intergovernmental agreement to use the moneys
23 paid by the State Fire Marshal to the Authority from the Fund
24 solely for the purposes for which the moneys would otherwise be
25 used under this Section and to set forth procedures to
26 otherwise administer the use of the moneys.

1 (b-1) There is hereby appropriated, on a continuing annual
2 basis in each fiscal year, from the Fire Station Revolving Loan
3 Fund, the amount, if any, of funds received into the Fire
4 Station Revolving Loan Fund to the State Fire Marshal for
5 payment to the Authority for the purposes for which the moneys
6 would otherwise be used under this Section.

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

14 (d) The Authority and the State Fire Marshal may adopt
15 rules in accordance with the Illinois Administrative Procedure
16 Act to administer the program.

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

18 (20 ILCS 3501/825-85)

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

20 (a) The Authority and the State Fire Marshal may ~~shall~~
21 jointly administer an ambulance revolving loan program. The
22 program shall, in instances where sufficient loan funds exist
23 to permit applications to be accepted, provide zero-interest
24 and low-interest loans for the purchase of ambulances by a fire
25 department, a fire protection district, a township fire

1 department, or a non-profit ambulance service. The Authority
2 shall make loans based on need, as determined by the State Fire
3 Marshal.

4 (b) The loan funds, subject to appropriation, shall be paid
5 out of the Ambulance Revolving Loan Fund, a special fund in the
6 State treasury. The Fund shall consist of any moneys
7 transferred or appropriated into the Fund, as well as all
8 repayments of loans made under the program. The Fund shall be
9 used for loans to fire departments, fire protection districts,
10 and non-profit ambulance services to purchase ambulances and
11 for no other purpose. All interest earned on moneys in the Fund
12 shall be deposited into the Fund. As soon as practical after
13 the effective date of this amendatory Act of the 97th General
14 Assembly, all moneys in the Ambulance Revolving Loan Fund shall
15 be paid by the State Fire Marshal to the Authority, and, on and
16 after the effective date of this amendatory Act of the 97th
17 General Assembly, all future moneys deposited into the
18 Ambulance Revolving Loan Fund under this Section shall be paid
19 by the State Fire Marshal to the Authority under the continuing
20 appropriation provision of subsection (b-1) of this Section;
21 provided that the Authority and the State Fire Marshal enter
22 into an intergovernmental agreement to use the moneys
23 transferred to the Authority from the Fund solely for the
24 purposes for which the moneys would otherwise be used under
25 this Section and to set forth procedures to otherwise
26 administer the use of the moneys.

1 (b-1) There is hereby appropriated, on a continuing annual
2 basis in each fiscal year, from the Ambulance Revolving Loan
3 Fund, the amount, if any, of funds received into the Ambulance
4 Revolving Loan Fund to the State Fire Marshal for payment to
5 the Authority for the purposes for which the moneys would
6 otherwise be used under this Section.

7 (c) A loan for the purchase of ambulances may not exceed
8 \$100,000 to any fire department, fire protection district, or
9 non-profit ambulance service. The repayment period for the loan
10 may not exceed 10 years. The fire department, fire protection
11 district, or non-profit ambulance service` shall repay each
12 year at least 5% of the principal amount borrowed or the
13 remaining balance of the loan, whichever is less. All
14 repayments of loans shall be deposited into the Ambulance
15 Revolving Loan Fund.

16 (d) The Authority and the State Fire Marshal may ~~shall~~
17 adopt rules in accordance with the Illinois Administrative
18 Procedure Act to administer the program.

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

20 (20 ILCS 3501/825-87 new)

21 Sec. 825-87. Public life safety capital investment finance
22 program.

23 (a) In addition to the powers set forth in Sections 825-80,
24 825-81, and 825-85 of this Act and in furtherance of the
25 purposes and programs set forth in those Sections, the

1 Authority may use loans as authorized in this Act to maximize
2 the number of participants in the programs and to maximize the
3 efficient use of taxpayer appropriated funds. The moneys
4 identified in Sections 825-80, 825-81, and 825-85 of this Act
5 shall be used by the Authority only for the express purposes
6 described in those Sections.

7 (b) The Authority, after consulting with the State Fire
8 Marshal, may determine the financial structure, including but
9 not limited to the terms, conditions, collateral, maturity, and
10 interest rate, of loans authorized by the programs under
11 Sections 825-80, 825-81, and 825-85 of this Act.

12 (c) The Authority and the State Fire Marshal may access the
13 moneys referenced in Sections 825-80, 825-81, and 825-85 of
14 this Act and may fix, determine, charge, and collect fees, in
15 connection with the programs under Sections 825-80, 825-81 and
16 825-85 of this Act and in furtherance of the purposes set forth
17 in this Section.

18 (d) The Authority and the State Fire Marshal may adopt
19 rules in accordance with the Illinois Administrative Procedure
20 Act to administer the programs under this Section.

21 (30 ILCS 105/5.712 rep.)

22 Section 15. The State Finance Act is amended by repealing
23 Section 5.712.

24 Section 20. The Fire Investigation Act is amended by

1 changing Section 13.1 as follows:

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

3 Sec. 13.1. Fire Prevention Fund.

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

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

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

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

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

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

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

17 (1) Of the moneys deposited into the fund under Section
18 12 of this Act, 12.5% shall be available for the
19 maintenance of the Illinois Fire Service Institute and the
20 expenses, facilities, and structures incident thereto, and
21 for making transfers into the General Obligation Bond
22 Retirement and Interest Fund for debt service requirements
23 on bonds issued by the State of Illinois after January 1,
24 1986 for the purpose of constructing a training facility
25 for use by the Institute. An additional 2.5% of the moneys

1 deposited into the Fire Prevention Fund shall be available
2 to the Illinois Fire Service Institute for support of the
3 Cornerstone Training Program.

4 (2) Of the moneys deposited into the Fund under Section
5 12 of this Act, 10% shall be available for the maintenance
6 of the Chicago Fire Department Training Program and the
7 expenses, facilities and structures incident thereto, in
8 addition to any moneys payable from the Fund to the City of
9 Chicago pursuant to the Illinois Fire Protection Training
10 Act.

11 (3) For making payments to local governmental agencies
12 and individuals pursuant to Section 10 of the Illinois Fire
13 Protection Training Act.

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

16 (4.5) For the maintenance, operation, and capital
17 expenses of the Mutual Aid Box Alarm System (MABAS).

18 (4.6) For grants awarded by the Small Fire-fighting and
19 Ambulance Service Equipment Grant Program established by
20 Section 2.7 of the State Fire Marshal Act.

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

22 (c-5) As soon as possible after the effective date of this
23 amendatory Act of the 95th General Assembly, the Comptroller
24 shall order the transfer and the Treasurer shall transfer
25 \$2,000,000 from the Fire Prevention Fund to the Fire Service
26 and Small Equipment Fund, \$9,000,000 from the Fire Prevention

1 Fund to the Fire Truck Revolving Loan Fund, and \$4,000,000 from
2 the Fire Prevention Fund to the Ambulance Revolving Loan Fund.
3 Beginning on July 1, 2008, each month, or as soon as practical
4 thereafter, an amount equal to \$2 from each fine received shall
5 be transferred from the Fire Prevention Fund to the Fire
6 Service and Small Equipment Fund, an amount equal to \$1.50 from
7 each fine received shall be transferred from the Fire
8 Prevention Fund to the Fire Truck Revolving Loan Fund, and an
9 amount equal to \$4 from each fine received shall be transferred
10 from the Fire Prevention Fund to the Ambulance Revolving Loan
11 Fund. These moneys shall be transferred from the moneys
12 deposited into the Fire Prevention Fund pursuant to Public Act
13 95-154, together with not more than 25% of any unspent
14 appropriations from the prior fiscal year. These moneys may be
15 allocated to the Fire Truck Revolving Loan Fund, Ambulance
16 Revolving Loan Fund, and Fire Service and Small Equipment Fund
17 at the discretion of the Office of the State Fire Marshal for
18 the purpose of implementation of this Act.

19 (d) Any portion of the Fire Prevention Fund remaining
20 unexpended at the end of any fiscal year which is not needed
21 for the maintenance and expenses of the Office of the State
22 Fire Marshal or the maintenance and expenses of the Illinois
23 Fire Service Institute, shall remain in the Fire Prevention
24 Fund for the exclusive and restricted uses provided in
25 subsections (c) and (c-5) of this Section.

26 (e) The Office of the State Fire Marshal shall keep on file

1 an itemized statement of all expenses incurred which are
2 payable from the Fund, other than expenses incurred by the
3 Illinois Fire Service Institute, and shall approve all vouchers
4 issued therefor before they are submitted to the State
5 Comptroller for payment. Such vouchers shall be allowed and
6 paid in the same manner as other claims against the State.

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

9 Section 25. The Unified Code of Corrections is amended by
10 changing Section 5-9-1.12 as follows:

11 (730 ILCS 5/5-9-1.12)

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

13 (a) In addition to any other penalty imposed, a fine of
14 \$500 shall be imposed upon a person convicted of the offense of
15 arson, residential arson, or aggravated arson.

16 (b) The additional fine shall be assessed by the court
17 imposing sentence and shall be collected by the Circuit Clerk
18 in addition to the fine, if any, and costs in the case. Each
19 such additional fine shall be remitted by the Circuit Clerk
20 within one month after receipt to the State Treasurer for
21 deposit into the Fire Prevention ~~Service and Small Equipment~~
22 Fund. The Circuit Clerk shall retain 10% of such fine to cover
23 the costs incurred in administering and enforcing this Section.
24 The additional fine may not be considered a part of the fine

1 for purposes of any reduction in the fine for time served
2 either before or after sentencing. Arson fines that were
3 previously deposited into the Fire Prevention Fund prior to the
4 adoption of Public Act 96-400 shall be used according to the
5 purposes established in Section 13.1 of the Fire Investigation
6 Act.

7 (c) (Blank) ~~The moneys in the Fire Service and Small~~
8 ~~Equipment Fund collected as additional fines under this Section~~
9 ~~shall be distributed by the Office of the State Fire Marshal as~~
10 ~~appropriated and according to the rules set forth and adopted~~
11 ~~under the Emergency Services Response Reimbursement for~~
12 ~~Criminal Convictions Act.~~

13 (d) (Blank).

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