



Sen. Terry Link

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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 financial  
11 support, including zero-interest and low-interest loans, for  
12 the purchase of fire trucks by a fire department, a fire  
13 protection district, or a township fire department. The  
14 Authority shall provide support ~~make loans~~ based on need, as  
15 determined by the State Fire Marshal.

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

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

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 Truck  
19 Revolving Loan Fund.

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

23 (f) Notwithstanding the repeal of Section 3-27 of the Rural  
24 Bond Bank Act, all otherwise lawful actions taken on or after  
25 January 1, 2004 and before the effective date of this Section  
26 by any person under the authority originally granted by that

1 Section 3-27, including without limitation the granting,  
2 acceptance, and repayment of loans for the purchase of fire  
3 trucks, are hereby validated, and the rights and obligations of  
4 all parties to any such loan are hereby acknowledged and  
5 confirmed.

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

7 (20 ILCS 3501/825-81)

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

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

21 (b) The loan funds, subject to appropriation, may be paid  
22 out of the Fire Station Revolving Loan Fund, a special fund in  
23 the State treasury. The Fund may consist of any moneys  
24 transferred or appropriated into the Fund, as well as all  
25 repayments of loans made under the program. Once the program

1 receives funding, the Fund may be used for loans to fire  
2 departments and fire protection districts to construct,  
3 rehabilitate, remodel, or expand fire stations or acquire land  
4 for the construction or expansion of fire stations and for no  
5 other purpose. All interest earned on moneys in the Fund shall  
6 be deposited into the Fund. On the effective date of this  
7 amendatory Act of the 97th General Assembly, all moneys in the  
8 Fire Station Revolving Loan Fund shall be transferred to the  
9 Authority, and, on and after the effective date of this  
10 amendatory Act of the 97th General Assembly, all moneys that  
11 would otherwise be deposited into the Fire Station Revolving  
12 Loan Fund under this Section shall be transferred to the  
13 Authority; provided that the Authority and the State Fire  
14 Marshal enter into an intergovernmental agreement to use the  
15 moneys transferred to the Authority from the Fund solely for  
16 the purposes for which the moneys would otherwise be used under  
17 this Section and to set forth procedures to otherwise  
18 administer the use of the moneys.

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

26 (d) The Authority and the State Fire Marshal may adopt

1 rules in accordance with the Illinois Administrative Procedure  
2 Act to administer the program.

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

4 (20 ILCS 3501/825-85)

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

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

16 (b) The loan funds, subject to appropriation, shall be paid  
17 out of the Ambulance Revolving Loan Fund, a special fund in the  
18 State treasury. The Fund shall consist of any moneys  
19 transferred or appropriated into the Fund, as well as all  
20 repayments of loans made under the program. The Fund shall be  
21 used for loans to fire departments, fire protection districts,  
22 and non-profit ambulance services to purchase ambulances and  
23 for no other purpose. All interest earned on moneys in the Fund  
24 shall be deposited into the Fund. On the effective date of this  
25 amendatory Act of the 97th General Assembly, all moneys in the

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

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

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

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



1       Sec. 825-87. Public life safety capital investment finance  
2 program.

3       (a) In addition to the powers set forth in Sections 825-80,  
4 825-81, and 825-85 of this Act and in furtherance of the  
5 purposes and programs set forth in those Sections, the  
6 Authority may use loans and guarantees as authorized in this  
7 Act to maximize the number of participants in the programs and  
8 to maximize the efficient use of taxpayer appropriated funds.  
9 The moneys identified in Sections 825-80, 825-81, and 825-85 of  
10 this Act shall be used by the Authority only for the express  
11 purposes described in those Sections.

12       (b) The Authority, after consulting with the State Fire  
13 Marshal, may determine the financial structure, including but  
14 not limited to the terms, conditions, collateral, maturity, and  
15 interest rate, of loans or guarantees authorized by the  
16 programs under Sections 825-80, 825-81, and 825-85 of this Act.

17       (c) The Authority and the State Fire Marshal may access the  
18 moneys referenced in Sections 825-80, 825-81, and 825-85 of  
19 this Act and may fix, determine, charge, and collect fees, in  
20 connection with the programs under Sections 825-80, 825-81 and  
21 825-85 of this Act and in furtherance of the purposes set forth  
22 in this Section.

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

1 (30 ILCS 105/5.712 rep.)

2 Section 15. The State Finance Act is amended by repealing  
3 Section 5.712.

4 Section 20. The Fire Investigation Act is amended by  
5 changing Section 13.1 as follows:

6 (425 ILCS 25/13.1) (from Ch. 127 1/2, par. 17.1)

7 Sec. 13.1. Fire Prevention Fund.

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

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

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

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

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

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

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

21 (1) Of the moneys deposited into the fund under Section  
22 12 of this Act, 12.5% shall be available for the  
23 maintenance of the Illinois Fire Service Institute and the  
24 expenses, facilities, and structures incident thereto, and

1 for making transfers into the General Obligation Bond  
2 Retirement and Interest Fund for debt service requirements  
3 on bonds issued by the State of Illinois after January 1,  
4 1986 for the purpose of constructing a training facility  
5 for use by the Institute. An additional 2.5% of the moneys  
6 deposited into the Fire Prevention Fund shall be available  
7 to the Illinois Fire Service Institute for support of the  
8 Cornerstone Training Program.

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

16 (3) For making payments to local governmental agencies  
17 and individuals pursuant to Section 10 of the Illinois Fire  
18 Protection Training Act.

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

21 (4.5) For the maintenance, operation, and capital  
22 expenses of the Mutual Aid Box Alarm System (MABAS).

23 (4.6) For grants awarded by the Small Fire-fighting and  
24 Ambulance Service Equipment Grant Program established by  
25 Section 2.7 of the State Fire Marshal Act.

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

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

24           (d) Any portion of the Fire Prevention Fund remaining  
25 unexpended at the end of any fiscal year which is not needed  
26 for the maintenance and expenses of the Office of the State

1 Fire Marshal or the maintenance and expenses of the Illinois  
2 Fire Service Institute, shall remain in the Fire Prevention  
3 Fund for the exclusive and restricted uses provided in  
4 subsections (c) and (c-5) of this Section.

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

12 (Source: P.A. 96-286, eff. 8-11-09; 96-1176, eff. 7-22-10;  
13 97-114, eff. 1-1-12.)

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

16 (730 ILCS 5/5-9-1.12)

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

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

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

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

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

18 (d) (Blank).

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