



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. As soon as practical after the
26 effective date of this amendatory Act of the 97th General

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

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

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

1 Revolving Loan Fund.

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

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

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

15 (20 ILCS 3501/825-81)

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

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

1 program receives funding, the Authority shall provide support
2 ~~make loans~~ based on need, as determined by the State Fire
3 Marshal.

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

1 used under this Section and to set forth procedures to
2 otherwise administer the use of the moneys.

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

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

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

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

20 (20 ILCS 3501/825-85)

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

22 (a) The Authority and the State Fire Marshal may ~~shall~~
23 jointly administer an ambulance revolving loan program. The
24 program shall, in instances where sufficient loan funds exist
25 to permit applications to be accepted, provide financial

1 support, including zero-interest and low-interest loans, for
2 the purchase of ambulances by a fire department, a fire
3 protection district, a township fire department, or a
4 non-profit ambulance service. The Authority shall provide
5 support ~~make loans~~ based on need, as determined by the State
6 Fire Marshal.

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

1 purposes for which the moneys would otherwise be used under
2 this Section and to set forth procedures to otherwise
3 administer the use of the moneys.

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

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

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

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

23 (20 ILCS 3501/825-87 new)

24 Sec. 825-87. Public life safety capital investment finance
25 program.

1 (a) In addition to the powers set forth in Sections 825-80,
2 825-81, and 825-85 of this Act and in furtherance of the
3 purposes and programs set forth in those Sections, the
4 Authority may use loans and guarantees as authorized in this
5 Act to maximize the number of participants in the programs and
6 to maximize the efficient use of taxpayer appropriated funds.
7 The moneys identified in Sections 825-80, 825-81, and 825-85 of
8 this Act shall be used by the Authority only for the express
9 purposes described in those Sections.

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

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

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

24 (30 ILCS 105/5.712 rep.)

25 Section 15. The State Finance Act is amended by repealing

1 Section 5.712.

2 Section 20. The Fire Investigation Act is amended by
3 changing Section 13.1 as follows:

4 (425 ILCS 25/13.1) (from Ch. 127 1/2, par. 17.1)

5 Sec. 13.1. Fire Prevention Fund.

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

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

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

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

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

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

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

19 (1) Of the moneys deposited into the fund under Section
20 12 of this Act, 12.5% shall be available for the
21 maintenance of the Illinois Fire Service Institute and the
22 expenses, facilities, and structures incident thereto, and
23 for making transfers into the General Obligation Bond
24 Retirement and Interest Fund for debt service requirements

1 on bonds issued by the State of Illinois after January 1,
2 1986 for the purpose of constructing a training facility
3 for use by the Institute. An additional 2.5% of the moneys
4 deposited into the Fire Prevention Fund shall be available
5 to the Illinois Fire Service Institute for support of the
6 Cornerstone Training Program.

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

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

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

19 (4.5) For the maintenance, operation, and capital
20 expenses of the Mutual Aid Box Alarm System (MABAS).

21 (4.6) For grants awarded by the Small Fire-fighting and
22 Ambulance Service Equipment Grant Program established by
23 Section 2.7 of the State Fire Marshal Act.

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

25 (c-5) As soon as possible after the effective date of this
26 amendatory Act of the 95th General Assembly, the Comptroller

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

22 (d) Any portion of the Fire Prevention Fund remaining
23 unexpended at the end of any fiscal year which is not needed
24 for the maintenance and expenses of the Office of the State
25 Fire Marshal or the maintenance and expenses of the Illinois
26 Fire Service Institute, shall remain in the Fire Prevention

1 Fund for the exclusive and restricted uses provided in
2 subsections (c) and (c-5) of this Section.

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

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

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

14 (730 ILCS 5/5-9-1.12)

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

16 (a) In addition to any other penalty imposed, a fine of
17 \$500 shall be imposed upon a person convicted of the offense of
18 arson, residential arson, or aggravated arson.

19 (b) The additional fine shall be assessed by the court
20 imposing sentence and shall be collected by the Circuit Clerk
21 in addition to the fine, if any, and costs in the case. Each
22 such additional fine shall be remitted by the Circuit Clerk
23 within one month after receipt to the State Treasurer for
24 deposit into the Fire Prevention Service ~~and Small Equipment~~

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

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

16 (d) (Blank).

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