

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 Protection District Act is amended by  
5 changing Section 11b as follows:

6 (70 ILCS 705/11b) (from Ch. 127 1/2, par. 31b)

7 Sec. 11b. (a) In case any fire protection district  
8 organized hereunder is coterminous with or includes within its  
9 corporate limits in whole or in part any city, village or  
10 incorporated town authorized to provide protection from fire  
11 and to regulate the prevention and control of fire within such  
12 city, village or incorporated town and to levy taxes for any  
13 such purposes, then such city, village or incorporated town  
14 shall not exercise any such powers as necessarily conflict with  
15 the powers to be exercised by such district in respect to such  
16 fire protection and regulation within the fire protection  
17 district from and after the date that it receives written  
18 notice from the State Fire Marshal to cease or refrain from the  
19 operation of any fire protection facilities and the exercise of  
20 such powers, which notice shall be given only after the State  
21 Fire Marshal has ascertained that the Fire Protection District  
22 has placed its fire protection facilities in operation. Such  
23 city, village or incorporated town shall not thereafter own,

1 operate, maintain, manage, control or have an interest in any  
2 fire protection facilities located within the corporate limits  
3 of the fire protection district, except water mains and  
4 hydrants and except as otherwise provided in this Act. Where  
5 any city, village, or incorporated town with 500 or more ~~more~~  
6 residents is in fact owning, operating, and maintaining a fire  
7 department or fire departments located in whole or in part  
8 within or adjacent to the corporate limits of a fire protection  
9 district organized under this Act, such city, village, or  
10 incorporated town shall not cease operating and maintaining the  
11 fire department or departments unless such proposed cessation  
12 of services is first submitted by referendum to voters, as  
13 provided by Section 15b of this Act. In addition, where any  
14 city, village, or incorporated town is in fact owning,  
15 operating, and maintaining a fire department or fire  
16 departments located within the corporate limits of a fire  
17 protection district organized under this Act, such city,  
18 village, or incorporated town shall be paid and reimbursed for  
19 its actual expenditures and for all existing obligations  
20 incurred, including all pension and annuity plans applicable to  
21 the maintenance of fire protection facilities theretofore made  
22 in establishing such facilities and in acquiring,  
23 constructing, improving or developing any such existing  
24 facilities in the manner provided for by this Act. The terms of  
25 payment shall provide for reimbursement in full within not less  
26 than 20 years from the date of such agreement.

1       (b) Notwithstanding subsection (a) of this Section, no fire  
2       protection district adjacent to any city, village, or  
3       incorporated town will be required to assume responsibility for  
4       fire protection or other emergency services to such city,  
5       village, or incorporated town which discontinues its municipal  
6       fire department under Section 15b of this Act unless the Board  
7       of Trustees of the adjacent fire protection district has by  
8       resolution, ordinance, or intergovernmental agreement, agreed  
9       to provide such services.

10       (Source: P.A. 98-666, eff. 1-1-15; revised 12-1-14.)

11       Section 99. Effective date. This Act takes effect upon  
12       becoming law.