

1 AMENDMENT TO HOUSE BILL 148

2 AMENDMENT NO. _____. Amend House Bill 148, on page 2, by
3 inserting immediately below line 33 the following:

4 Section 10. The Illinois Municipal Code is amended by
5 changing Section 10-2.1-6 as follows:

6 (65 ILCS 5/10-2.1-6) (from Ch. 24, par. 10-2.1-6)

7 Sec. 10-2.1-6. Examination of applicants;
8 disqualifications.

9 (a) All applicants for a position in either the fire or
10 police department of the municipality shall be under 35 years
11 of age, shall be subject to an examination that shall be
12 public, competitive, and open to all applicants (unless the
13 council or board of trustees by ordinance limit applicants to
14 electors of the municipality, county, state or nation) and
15 shall be subject to reasonable limitations as to residence,
16 health, habits, and moral character. The municipality may
17 not charge or collect any fee from an applicant who has met
18 all prequalification standards established by the
19 municipality for any such position.

20 (b) Residency requirements in effect at the time an
21 individual enters the fire or police service of a
22 municipality (other than a municipality that has more than
23 1,000,000 inhabitants) cannot be made more restrictive for

1 that individual during his period of service for that
2 municipality, or be made a condition of promotion, except for
3 the rank or position of Fire or Police Chief.

4 (c) No person with a record of misdemeanor convictions
5 except those under Sections 11-6, 11-7, 11-9, 11-14, 11-15,
6 11-17, 11-18, 11-19, 12-2, 12-6, 12-15, 14-4, 16-1, 21.1-3,
7 24-3.1, 24-5, 25-1, 28-3, 31-1, 31-4, 31-6, 31-7, 32-1, 32-2,
8 32-3, 32-4, 32-8, and subsections (1), (6) and (8) of Section
9 24-1 of the Criminal Code of 1961 or arrested for any cause
10 but not convicted on that cause shall be disqualified from
11 taking the examination to qualify for a position in the fire
12 department on grounds of habits or moral character.

13 (d) The age limitation in subsection (a) does not apply
14 (i) to any person previously employed as a policeman or
15 fireman in a regularly constituted police or fire department
16 of (I) any municipality or (II) a fire protection district
17 whose obligations were assumed by a municipality under
18 Section 21 of the Fire Protection District Act, (ii) to any
19 person who has served a municipality as a regularly enrolled
20 volunteer fireman for 5 years immediately preceding the time
21 that municipality begins to use full time firemen to provide
22 all or part of its fire protection service, or (iii) to any
23 person who has served as an auxiliary policeman under Section
24 3.1-30-20 for at least 5 years and is under 40 years of age,
25 or (iv) to any person who has served as a deputy under
26 Section 3-6008 of the Counties Code and otherwise meets
27 necessary training requirements.

28 (e) Applicants who are 20 years of age and who have
29 successfully completed 2 years of law enforcement studies at
30 an accredited college or university may be considered for
31 appointment to active duty with the police department. An
32 applicant described in this subsection (e) who is appointed
33 to active duty shall not have power of arrest, nor shall the
34 applicant be permitted to carry firearms, until he or she

1 reaches 21 years of age.

2 (f) Applicants who are 18 years of age and who have
3 successfully completed 2 years of study in fire techniques,
4 amounting to a total of 4 high school credits, within the
5 cadet program of a municipality may be considered for
6 appointment to active duty with the fire department of any
7 municipality.

8 (g) The council or board of trustees may by ordinance
9 provide that persons residing outside the municipality are
10 eligible to take the examination.

11 (h) The examinations shall be practical in character and
12 relate to those matters that will fairly test the capacity of
13 the persons examined to discharge the duties of the positions
14 to which they seek appointment. No person shall be appointed
15 to the police or fire department if he or she does not
16 possess a high school diploma or an equivalent high school
17 education. A board of fire and police commissioners may, by
18 its rules, require police applicants to have obtained an
19 associate's degree or a bachelor's degree as a prerequisite
20 for employment. The examinations shall include tests of
21 physical qualifications and health. No person shall be
22 appointed to the police or fire department if he or she has
23 suffered the amputation of any limb unless the applicant's
24 duties will be only clerical or as a radio operator. No
25 applicant shall be examined concerning his or her political
26 or religious opinions or affiliations. The examinations
27 shall be conducted by the board of fire and police
28 commissioners of the municipality as provided in this
29 Division 2.1.

30 (i) No person who is classified by his local selective
31 service draft board as a conscientious objector, or who has
32 ever been so classified, may be appointed to the police
33 department.

34 (j) No person shall be appointed to the police or fire

1 department unless he or she is a person of good character and
2 not an habitual drunkard, gambler, or a person who has been
3 convicted of a felony or a crime involving moral turpitude.
4 No person, however, shall be disqualified from appointment to
5 the fire department because of his or her record of
6 misdemeanor convictions except those under Sections 11-6,
7 11-7, 11-9, 11-14, 11-15, 11-17, 11-18, 11-19, 12-2, 12-6,
8 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1,
9 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, 32-8, and
10 subsections (1), (6) and (8) of Section 24-1 of the Criminal
11 Code of 1961 or arrest for any cause without conviction on
12 that cause. Any such person who is in the department may be
13 removed on charges brought and after a trial as provided in
14 this Division 2.1.

15 (Source: P.A. 89-52, eff. 6-30-95; 90-445, eff. 8-16-97;
16 90-481, eff. 8-17-97; 90-655, eff. 7-30-98.)