

1 AMENDMENT TO HOUSE BILL 1081

2 AMENDMENT NO. _____. Amend House Bill 1081 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Fire Protection District Act is amended
5 by adding Section 8.20 as follows:

6 (70 ILCS 705/8.20 new)

7 Sec. 8.20. Open burning.

8 (a) The board of trustees of any fire protection district
9 incorporated under this Act may, by ordinance, regulate open
10 burning within the district for the purpose of preventing and
11 controlling fire. The ordinance must require that the
12 district be notified of open burning before it takes place,
13 but may not require that a permit for open burning be
14 obtained from the district. The district may not enforce an
15 ordinance adopted under this Section within the corporate
16 limits of a municipality with a population of 1,000,000 or
17 more.

18 (b) The fire department of a fire protection district may
19 extinguish any open burn that presents a clear, present, and
20 unreasonable danger to persons or adjacent property or that
21 presents an unreasonable risk because of wind, weather, or
22 the types of combustibles. The unreasonable risk may include

1 the height of flames, windblown embers, the creation of
2 hazardous fumes, or an unattended fire. Fire departments may
3 not unreasonably interfere with permitted and legal open
4 burning.

5 (c) The fire protection district may provide that persons
6 setting open burns on any agricultural land with an area of
7 50 acres or more may voluntarily comply with the provisions
8 of an ordinance adopted under this Section."