

AN ACT concerning local government.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Township Code is amended by adding Section 14a as follows:

(60 ILCS 1/14a new)

Sec. 14a. Reimbursement for specialized rescue services. A township that provides fire protection services may fix, charge, and collect reasonable fees for specialized rescue services provided by the township. The total amount collected may not exceed the reasonable cost of providing those specialized rescue services and may not, in any event, exceed \$125 per hour per vehicle and \$35 per hour per firefighter. The fee may be charged to any of the following parties, but only after there has been a finding of fault against that party by the Occupational Safety and Health Administration or the Illinois Department of Labor:

(a) the owner of the property on which the specialized rescue services occurred;

(b) any person involved in an activity that caused or contributed to the emergency;

(c) an individual who is rescued during the emergency and his or her employer if the person was acting in

furtherance of the employer's interests;

(d) in cases involving the recovery of property, any person having control or custody of the property at the time of the emergency.

For the purposes of this Section, the term "specialized rescue services" includes, but is not limited to, structural collapse, tactical rescue, high angle rescue, underwater rescue and recovery, confined space rescue, below grade rescue, and trench rescue.

Section 10. The Illinois Municipal Code is amended by adding Section 11-6-5 as follows:

(65 ILCS 5/11-6-5 new)

Sec. 11-6-5. Reimbursement for specialized rescue services. The corporate authorities of a municipality that operates a fire department may fix, charge, and collect reasonable fees for specialized rescue services provided by the department. The total amount collected may not exceed the reasonable cost of providing those specialized rescue services and may not, in any event, exceed \$125 per hour per vehicle and \$35 per hour per firefighter. The fee may be charged to any of the following parties, but only after there has been a finding of fault against that party by the Occupational Safety and Health Administration or the Illinois Department of Labor:

(a) the owner of the property on which the specialized

rescue services occurred;

(b) any person involved in an activity that caused or contributed to the emergency;

(c) an individual who is rescued during the emergency and his or her employer if the person was acting in furtherance of the employer's interests;

(d) in cases involving the recovery of property, any person having control or custody of the property at the time of the emergency.

For the purposes of this Section, the term "specialized rescue services" includes, but is not limited to, structural collapse, tactical rescue, high angle rescue, underwater rescue and recovery, confined space rescue, below grade rescue, and trench rescue.

Section 15. The Fire Protection District Act is amended by changing Section 22 and by adding Section 25 as follows:

(70 ILCS 705/22) (from Ch. 127 1/2, par. 38.5)

Sec. 22. The Board of Trustees of any fire protection district incorporated under this Act is authorized under the terms and conditions hereinafter set out, to provide emergency ambulance service to or from points within or without the district; to contract with providers of ambulance service; to combine with other units of governments for the purpose of providing ambulance service; to levy a tax for the provision of

such service and to adopt rules and regulations relating to ambulance service within their jurisdiction.

(a) It is declared as a matter of public policy:

(1) That, in order to preserve, protect and promote the public health, safety and general welfare, adequate and continuing emergency ambulance service should be available to every citizen of Illinois;

(2) That, insofar as it is economically feasible, emergency ambulance service should be provided by private enterprise; and

(3) That, in the event adequate and continuing emergency ambulance services do not exist, fire protection districts should be authorized to provide, and shall cause to be provided, ambulance service as a public responsibility.

(b) Whenever the Board of Trustees of a fire protection district desires to levy a special tax to provide an ambulance service, it shall certify the question to the proper election officials, who shall submit that question at an election to the voters of the district. The result of such referendum shall be entered upon the records of the district. If a majority of the votes on the proposition are in favor of such proposition, the Board of Trustees may thereafter levy a special tax at a rate not to exceed .30% of the value of all taxable property within the district as equalized or assessed by the Department of Revenue. The proposition shall be in substantially the

following form:

Shall the Fire Protection
District levy a special tax at a rate YES
not to exceed .30% of the value of all
taxable property within the district as -----
equalized or assessed by the Department
of Revenue for the purpose of providing NO
an ambulance service?

(c) If it appears that a majority of all valid votes cast on the proposition are in favor of levying a special tax to pay for an ambulance, the Board of Trustees may levy and collect an annual tax for the purpose of providing ambulance service under this Act to be extended at a rate not to exceed .30% of the full fair cash value of the taxable property within the governmental unit as assessed or equalized by the Department of Revenue. Such annual tax shall be in addition to the other taxes a fire protection district may levy for its corporate purposes.

(d) Any Board of trustees may:

1. Provide or operate an emergency ambulance service;
2. Contract with a private person, hospital, corporation or another governmental unit for the provision and operation of emergency ambulance service or subsidize the service thereof;
3. Limit the number of ambulance services;

4. Within its jurisdiction, fix, charge and collect fees for emergency ambulance service within or outside of the fire protection district not exceeding the reasonable cost of the service;

5. Establish necessary regulations not inconsistent with the statutes or regulations of the Department of Public Health relating to ambulance service;

6. The trustees shall have the power identified in paragraphs 3 and 5 only if the district shall have passed the referendum provided for herein.

(e) When any Board of Trustees is authorized prior to January 1, 1978 to levy and collect an annual tax, for the purpose of providing ambulance service, at any rate not exceeding .25% of the full fair cash value of the taxable property within the governmental unit as equalized or assessed by the Department of Revenue, such Board of Trustees may by resolution increase its authority to tax for ambulance purposes to a rate not to exceed .30%. Such resolution shall be effective 30 days after its adoption. Notice of such resolution shall be published twice in a newspaper having a general circulation within the district at least 20 days and again at least 10 days prior to the effective date of the resolution. Such notice shall state that the voters of that fire protection district, which district shall be described in the notice, have until 30 days after the adoption of the resolution to file a petition with the Board of Trustees praying that the question

of the adoption of the resolution be submitted to a vote of the electors of such territory, and that, if no such petition is filed, the resolution shall become effective 30 days after its adoption. The notice also shall state the specific number of voters required to sign the petition and the date of the prospective referendum. The district secretary shall provide a petition form to any individual requesting one. If such a petition, signed by the voters of the district equal to 10% or more of the registered voters of the district, is so filed with the Board of Trustees, then the question of the adoption of the resolution shall be certified to the proper election officials, who shall submit the question to a vote of the electors of the district at an election in accordance with the general election law. If such a petition is filed, the resolution does not take effect unless a majority of the votes cast upon the question of the adoption of the resolution is in favor of adoption. However, if such a petition is determined to be invalid, the resolution shall take effect.

The result of the election shall be entered upon the records of the district. If a majority of the voters vote in favor of such resolution, the resolution shall be effective immediately. The proposition shall be in substantially the following form:

 Shall the Board of Trustees of
 the Fire Protection District YES

be authorized to increase the
special tax for ambulance service
to a rate not to exceed .30% of -----
the value of all taxable property
within the district as equalized or
assessed by the Department of Revenue NO
for the purpose of providing such service?

In this Section, "ambulance service" includes, without
limitation, pre-hospital medical services. "Pre-hospital
medical services" includes emergency services performed by a
paramedic or other on-board emergency personnel that are within
the scope of the provider's license. This amendatory Act of the
95th General Assembly is declarative of existing law.

(Source: P.A. 86-1253; 87-767.)

(70 ILCS 705/25 new)

Sec. 25. Reimbursement for specialized rescue services. A
fire protection district may fix, charge, and collect
reasonable fees for specialized rescue services provided by the
district. The total amount collected may not exceed the
reasonable cost of providing those specialized rescue services
and may not, in any event, exceed \$125 per hour per vehicle and
\$35 per hour per firefighter. The fee may be charged to any of
the following parties, but only after there has been a finding
of fault against that party by the Occupational Safety and

Health Administration or the Illinois Department of Labor:

(a) the owner of the property on which the specialized rescue services occurred;

(b) any person involved in an activity that caused or contributed to the emergency;

(c) an individual who is rescued during the emergency and his or her employer if the person was acting in furtherance of the employer's interests;

(d) in cases involving the recovery of property, any person having control or custody of the property at the time of the emergency.

For the purposes of this Section, the term "specialized rescue services" includes, but is not limited to, structural collapse, tactical rescue, high angle rescue, underwater rescue and recovery, confined space rescue, below grade rescue, and trench rescue.