

AN ACT concerning local government.

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

Section 5. The Rescue Squad Districts Act is amended by changing Sections 1, 2, 3, 4, 5, 6, 6.5, 7, 8, 11, 11.5, 13, 14, and 15 and by adding Sections 2.5, 11.3, and 11.4 as follows:

(70 ILCS 2005/1) (from Ch. 85, par. 6851)

Sec. 1. This Act may be cited as the Emergency Services ~~Rescue Squad~~ Districts Act.

(Source: P.A. 86-916.)

(70 ILCS 2005/2) (from Ch. 85, par. 6852)

Sec. 2. Any contiguous territory having a population of not less than 300 inhabitants and no part of which is already included in an emergency services ~~a rescue squad~~ district, and no part of which is located in a fire protection district that provides rescue services, may be organized as an emergency services ~~a rescue squad~~ district as provided in this Act. However, an emergency services district may be organized in whole or in part within a fire protection district that provides rescue services if the emergency services district is formed and operated solely to provide ambulance services.

Any 5% of the legal voters within the limits of the proposed emergency services ~~rescue-squad~~ district may petition the circuit court for the county in which the territory lies to order the question whether the territory shall be organized as an emergency services ~~a rescue-squad~~ district under this Act to be submitted to the legal voters of the territory, but every petition shall be signed by at least 25 legal voters residing within the territory proposed to be organized as an emergency services ~~a rescue-squad~~ district, and in case the territory includes more than one city, village or incorporated town, or any portions thereof, or includes one or more cities, villages or incorporated towns, or any portion thereof, and territory not a part of any city, village or incorporated town, then the petition must be signed by at least 5% of the legal voters residing in each of those cities, villages, or incorporated towns, or portions thereof, and by at least 5% of the legal voters residing in the territory not a part of any city, village or incorporated town. The petition shall contain a definite description of the boundaries of the territory proposed to be organized as an emergency services ~~a rescue-squad~~ district, and shall set forth the name of the proposed district, which name shall be The .... Emergency Services ~~Rescue-Squad~~ District.

(Source: P.A. 86-916.)

Sec. 2.5. Rescue squad district continuance. A rescue squad district organized under this Act before the effective date of this amendatory Act of the 103rd General Assembly may (i) continue to be named a rescue squad district or be renamed an emergency services district by ordinance of the board of trustees of the district, (ii) operate under the provisions of this Act as if they were organized as an emergency services district, and (iii) continue exercising taxing authority granted to it that was approved before the effective date of this amendatory Act of the 103rd General Assembly and the taxes may be used for any purpose allowed under this Act.

(70 ILCS 2005/3) (from Ch. 85, par. 6853)

Sec. 3. Upon the filing of a petition in the office of the circuit clerk, the court to whom the petition is addressed shall give notice of the time and place of a hearing on the question of the necessity for the organization of an emergency services ~~a rescue squad~~ district and of the boundaries of the proposed district. The notice shall be published at least once each week for 2 weeks in one or more newspapers of general circulation in the proposed district, and a copy of the notice shall be posted in at least 10 of the most public places in the proposed district at least 10 days before the hearing. The hearing shall be held within 20 days after the petition is filed with the circuit clerk.

The court shall preside at the hearing, and all persons

resident within the territory proposed to be organized as an emergency services ~~a rescue squad~~ district shall be given an opportunity to be heard touching the necessity of the organization of a district and to make suggestions regarding the boundaries of the district. After hearing the statements, evidence and suggestions, if the court determines that considerations of public health and welfare make the organization of a district necessary, it shall fix the boundaries of the proposed emergency services ~~rescue squad~~ district and, for that purpose and to that extent, may alter and amend the petition. In case the boundaries as fixed by the court include any territory not included in the boundaries as described in the original petition, the court shall cause a notice to be inserted at least twice in some newspaper of general circulation in the additional territory, which notice shall state the time and place at which a hearing will be held to permit the owners of the land in the additional territory to appear and be heard on the question of including the additional territory. The notice shall be published at least 10 days before the hearing, and the hearing shall be held within 3 weeks after the court first fixes the boundaries. At the hearing the boundaries of the proposed district shall be finally fixed by the court.

(Source: P.A. 86-916.)



District?

-----  
The court shall cause a statement of the result to be entered of record in the court.

(Source: P.A. 86-916.)

(70 ILCS 2005/5) (from Ch. 85, par. 6855)

Sec. 5. If a majority of the votes cast on the question are in favor of the organization of the territory as an emergency services ~~a rescue squad~~ district, the territory shall be an organized emergency services ~~rescue squad~~ district under this Act. The district shall have the name set forth in the petition and by such name may transact all corporate business. The name of a rescue squad district may be modified under Section 2.5. The district shall constitute a body corporate and politic. All courts of this State shall take judicial notice of the organization of the emergency services ~~rescue squad~~ district.

(Source: P.A. 86-916.)

(70 ILCS 2005/6) (from Ch. 85, par. 6856)

Sec. 6. Within 60 days after the organization of an emergency services ~~any rescue squad~~ district under the provisions of this Act, a board of trustees, consisting of 5 members, for the government and control of the affairs and business of the emergency services ~~rescue squad~~ district shall be appointed in the following manner:

(1) If the district lies wholly within a single township, the board of trustees of that township shall appoint the trustees for the district, but no township official is eligible for such appointment.

(2) If the district is not contained wholly within a single township, but is located wholly within a single county, the trustees for the district shall be appointed by the presiding officer of the county board, with the advice and consent of the county board.

(3) If the district lies wholly within a municipality, the governing body of the municipality shall appoint trustees for the district.

(4) If the district does not conform to any of the foregoing classifications, the trustees for the district shall be from each county in the district in numbers proportionate, as nearly as practicable, to the number of residents of the district who reside in each county in relation to the total population of the district. Trustees shall be appointed by the county board of their respective counties, or in the case of a home rule county as defined by Section 6 of Article VII of the Illinois Constitution, by the chief executive officer of that county, with the advice and consent of the county board.

Upon the expiration of the term of a trustee who is in office at the time of the publication of each decennial federal census of population, the successor shall be a

resident of whichever county is entitled to the representation in order to bring about the proportional representation required by this Act, and the successor shall be appointed by the appointing authority of that county. Thereafter, each trustee shall be succeeded by a resident of the same county, who shall be appointed by the same appointing authority. Of the trustees first appointed, 3 shall hold office until the second Monday in December after the next succeeding general election for members of the General Assembly and 2 shall hold office until the second Monday in December 2 years after the next succeeding general election for members of the General Assembly, and until their successors are appointed and qualified. Thereafter, the trustees of the district shall be appointed in every year in which the term of any of the trustees expires and shall hold office for 4 years and until their successors are appointed and qualified. Each trustee shall be a legal voter in the district. Each trustee shall be compensated at the same rate, which shall not exceed \$750 per fiscal year, as determined by the board of trustees.

Whenever a vacancy occurs in the board of trustees the appropriate appointing authority shall appoint some person to fill the remainder of the unexpired term.

(Source: P.A. 86-916.)

(70 ILCS 2005/6.5)

Sec. 6.5. Change to elected board of trustees; petition;



election; ballot; nomination and election of trustees. An emergency services ~~Any rescue squad~~ district organized under this Act may have an elected, rather than an appointed, board of trustees if approved by referendum. Upon presentation to the board of trustees of a petition, signed by not less than 10% of the electors of the district, requesting that a proposition for the election of trustees be submitted to the electors of the district, the secretary of the board of trustees shall certify the proposition to the appropriate election authorities who shall submit the proposition at a regular election in accordance with the general election law. The general election law shall apply to and govern such election. The proposition shall be in substantially the following form:

-----

Shall the trustees of .....	YES
<u>Emergency Services</u> <del>Rescue Squad</del>	
District be elected, rather	-----
than appointed?	NO

-----

If a majority of the votes cast on such proposition are in the affirmative, the trustees of the district shall thereafter be elected as provided by this Section.

At the next regular election for trustees as provided by the general election law, a district that has approved by referendum to have its trustees elected rather than appointed

shall elect 5 initial trustees. The initial elected trustees shall be elected as follows: 2 shall be elected for terms of 2 years, 2 for terms of 4 years, and one for a term of 6 years. Except as otherwise provided in Section 2A-54 of the Election Code, the term of each elected trustee shall commence on the third Monday of the month following the month of his or her election and until his or her successor is elected and qualified. The length of the terms of the trustees first elected shall be determined by lot at their first meeting. Thereafter, except as otherwise provided in Section 2A-54 of the Election Code, each trustee shall be elected to serve for a term of 4 years commencing on the third Monday of the month following the month of his or her election and until his or her successor is elected and qualified.

No party designation shall appear on the ballot for election of trustees. The provisions of the general election law shall apply to and govern the nomination and election of trustees.

Nominations for members of the board of trustees shall be made by a petition signed by at least 25 voters or 5% of the voters, whichever is less, residing within the district and shall be filed with the secretary of the board. In addition to the requirements of general election law, the form of the petition shall be as follows:

NOMINATING PETITIONS

To the Secretary of the Board of Trustees of (name of

emergency services ~~rescue squad~~ district):

We, the undersigned, being (number of signatories or 5% or more) of the voters residing within the district, hereby petition that (name of candidate) who resides at (address of candidate) in this district shall be a candidate for the office of (office) of the Board of Trustees (full-term or vacancy) to be voted for at the election to be held (date of election).

The secretary of the board shall notify each candidate for whom a petition for nomination has been filed of their obligations under the Campaign Financing Act, as required by the general election law. The notice shall be given on a form prescribed by the State Board of Elections and in accordance with the requirements of the general election law.

The secretary shall, within 7 days of filing or on the last day for filing, whichever is earlier, acknowledge to the petitioner in writing his acceptance of the petition.

The provisions of Section 6 relating to eligibility and compensation of trustees shall apply equally to elected trustees.

Whenever an emergency services ~~a rescue squad~~ district determines to elect trustees as provided in this Section, the trustees appointed pursuant to Section 6 shall continue to constitute the board of trustees until the third Monday of the month following the month of the first election of trustees. If the term of office of any appointed trustees expires before

the first election of trustees, the authority which appointed that trustee under Section 6 of this Act shall appoint a successor to serve until a successor is elected and has qualified. The terms of all appointed trustees in such district shall expire on the third Monday of the month following the month of the first election of trustees under this Section or when successors have been elected and have qualified, whichever occurs later.

(Source: P.A. 99-295, eff. 8-6-15.)

(70 ILCS 2005/7) (from Ch. 85, par. 6857)

Sec. 7. The trustees appointed in accordance with this Act shall constitute a board of trustees for the emergency services ~~rescue-squad~~ district for which they are appointed, and that board of trustees is declared to be the corporate authority of the district and shall exercise all of the powers and control all of the affairs and property of the district. The board of trustees may provide and adopt a corporate seal. Immediately after their appointment and at their first meeting in December of each year thereafter, the board of trustees shall elect one of their number as president, one as secretary, and one as treasurer, and shall elect such other officers as may be necessary. The board of trustees shall provide for the time and place of holding regular meetings and may establish rules for board proceedings. Special meetings may be called by the president of the board or by any 3

trustees, but each member of the board shall be given notice of a special meeting at least 24 hours before the meeting. All of the meetings of the board, whether regular or special, shall be open to the public. A majority of the board of trustees shall constitute a quorum, but a smaller number may adjourn from day to day. The board shall keep a regular book of records of all of the proceedings of the board, which book shall be open to the inspection of any person residing in the district at all reasonable and proper times.

(Source: P.A. 86-916.)

(70 ILCS 2005/8) (from Ch. 85, par. 6858)

Sec. 8. The board of trustees of the district shall have power to take all necessary or proper steps to provide rescue services within the district; to purchase equipment, supplies, and materials; to recruit, employ, or contract with ambulance, rescue squad, or both ambulance and rescue squad personnel, who shall be compensated at a rate determined by the board of trustees; and generally to do any and all things necessary or incident to the powers granted by this Act and to carry out the objects of this Act.

(Source: P.A. 86-916.)

(70 ILCS 2005/11) (from Ch. 85, par. 6861)

Sec. 11. An emergency services ~~A rescue squad~~ district organized under this Act may levy and collect a general tax on

the property situated in the district, but the aggregate amount of taxes levied for any one year shall not exceed the rate of .20% of value, as equalized or assessed by the Department of Revenue. The board of trustees shall determine and certify the amount to be levied and shall return the same to the county clerk. The limitation upon the tax rate may be increased or decreased under the referendum provisions of the General Revenue Law of Illinois.

In case the district is located in more than one county, the board of trustees shall determine and certify the amount to be levied upon the taxable property lying in each county and return the same to the respective county clerks of the counties in which the amount is to be levied. In order to determine the amount to be levied upon the taxable property of that part of the district lying in each county, the board shall ascertain from the county clerk of the respective counties in which the district lies the last ascertained equalized value of the taxable property of the district lying in their respective counties, then shall ascertain the rate per cent required and shall, accordingly, apportion the whole amount to be raised between the several parts of the district so lying in the different counties. The tax provided for in this Section shall be levied at the same time and in the same manner as nearly as practicable as taxes are now levied for municipal purposes under the laws of this State.

All general taxes under this Act, when collected, shall be

paid over to the treasurer of the board of trustees, who is authorized to receive and receipt for the same.

(Source: P.A. 86-916.)

(70 ILCS 2005/11.3 new)

Sec. 11.3. Ambulance service.

(a) The board of trustees may provide ambulance service to or from points within or without the district, contract with providers of ambulance service, combine with other units of local government for the purpose of providing ambulance service, and adopt rules and regulations relating to ambulance service within the board's jurisdiction.

(b) The board of trustees may:

(1) contract with a private person, hospital, corporation, or another governmental unit for the provision and operation of ambulance service or subsidize the ambulance service;

(2) limit the number of ambulance services by referendum;

(3) within its jurisdiction, fix, charge, and collect fees for ambulance service within or outside of the fire protection district not exceeding the reasonable cost of the service; and

(4) establish necessary regulations not inconsistent with the statutes or regulations of the Department of Public Health relating to ambulance service.

The board of trustees may limit the number of ambulances under paragraph (2) or establish regulations under paragraph (4) if a referendum under Section 11.5 has been approved.

(70 ILCS 2005/11.4 new)

Sec. 11.4. Charge for ambulance service.

(a) The board of trustees of a district may fix, charge, and collect fees not exceeding the reasonable cost of the service for ambulance services rendered by the district against persons who are not residents of the district and against businesses and other entities that are not located within the district.

(b) A fee charged under subsection (a) shall be computed at a rate not to exceed \$250 per hour and not to exceed \$70 per hour per ambulance worker responding to a call for assistance. An additional fee may be charged to reimburse the district for extraordinary expenses of materials used in rendering ambulance services. No charge shall be made for services for which the total charge would be less than \$50.

(c) All revenue from the fees charged under this Section shall be deposited to the district's general fund.

(70 ILCS 2005/11.5)

Sec. 11.5. Ambulance service tax. Whenever the board of trustees of an emergency services ~~a rescue squad~~ district desires to levy a special tax to provide an ambulance service



or support an existing 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 the referendum shall be entered upon the records of the district. If a majority of the votes on the question are in favor of the question, the board of trustees may then levy a special tax at a rate not to exceed 0.40% of the value of all taxable property within the district as equalized or assessed by the Department of Revenue. The question shall be in substantially the following form:

-----

Shall the ....

Emergency Services ~~Rescue Squad~~

District levy a special tax at a rate	YES
not to exceed 0.40% of the value of all	
taxable property within the district	-----
as equalized or assessed by the	
Department of Revenue for the purpose	NO
of providing or supporting an ambulance	
service?	

-----

A tax levied under Section 11 may be used for ambulance services as well as a tax levied under this Section.

(Source: P.A. 100-1120, eff. 1-1-19.)

Sec. 13. Any territory lying adjacent and contiguous to an emergency services ~~a rescue squad~~ district, and not part of another emergency services ~~rescue squad~~ district and not part of a fire protection district that provides rescue services, may be annexed to the district as provided in this Section.

Upon petition in writing, describing the territory proposed to be annexed and signed by a majority of the legal voters in that territory and by the owners of more than half of the taxable property in that territory as shown by the last ascertained equalized value of the taxable property in that territory being filed with the trustees of the district, the trustees may annex the territory by a resolution which shall be published at least once in a newspaper having a general circulation in the territory and shall include a notice of (1) the specific number of voters required to sign a petition requesting that the question of the adoption of the resolution be submitted to the electors of the territory, (2) the time in which the petition must be filed, and (3) the date of the prospective referendum. The county clerk of the county in which the territory is situated shall provide a petition form to any individual requesting one. The resolution shall be effective 45 days from the date of publication and is subject to a referendum, if a referendum is requested, before the effective date of the resolution, by the lesser of 1,000 voters or 5% of the voters in the district. The trustees may also order the question of the annexation of the territory to

be submitted to the legal voters of the district at a regular election by certifying the question to the proper election officials. Notice of the election shall be given and the election conducted in the manner provided by the general election law. The proposition shall be stated as follows: "Shall the territory (describing it) be annexed to The .... Emergency Services ~~Rescue Squad~~ District?" If the majority of all the votes cast on the question is in favor of annexation, the board of trustees shall so certify to the county clerk, and within 10 days of the election the trustees by an order duly entered upon their records shall annex the territory to the district and shall file a map of the annexed territory in the office of the county clerk of the county where the annexed territory is situated. Thereupon the territory shall be deemed annexed to and shall be a part of the emergency services ~~rescue squad~~ district.

(Source: P.A. 86-916.)

(70 ILCS 2005/14) (from Ch. 85, par. 6864)

Sec. 14. A district organized under this Act may be dissolved and discontinued upon like petition, hearing and election as is provided in this Act for the organization of a district. If a majority of the votes cast on the question at the election are in favor of dissolution, the court shall enter an order of record in the court dissolving the district. The trustees of the district shall immediately proceed to wind

up the affairs of the district and shall have the same powers as before dissolution to levy taxes for the purpose of paying the debts, obligations and liabilities of the district outstanding on the date of dissolution and the necessary expenses of closing up the affairs of the district. All property of the district shall be sold and, in case any excess remains after all liabilities of the district are paid, the excess shall be paid to the various common school districts located in the district ratably in the proportion that the taxable value of all the property in each of the school districts bears to the taxable value of all the property in the emergency services ~~rescue squad~~ district.

(Source: P.A. 86-916.)

(70 ILCS 2005/15) (from Ch. 85, par. 6865)

Sec. 15. The owner or owners of record of any area of land consisting of one or more tracts lying within the corporate limits of an emergency services ~~a rescue squad~~ district may have the area disconnected from the district as provided in this Section.

The owner or owners of record of the tract or tracts of land shall file a petition in the circuit court of the county in which the district was organized alleging facts in support of disconnection, including the following:

- (1) That the tract or tracts involved are located upon the border of the district.

(2) That disconnection will not result in the isolation of any part of the district from the remainder of the district.

(3) That disconnection will not destroy or impair the effectiveness of the district in the performance of its lawful functions.

(4) That disconnection will not jeopardize the financial position of the district.

(5) That disconnection will not adversely affect the public health and welfare.

(6) That rescue services are provided by a fire protection district or other unit of local government.

The district from which disconnection is sought shall be made a defendant, and it or any taxpayer residing in the district may appear and defend against the petition. The court shall set the petition for hearing on a date not less than 30 days after the filing of the petition. If the court finds that the allegations of the petition are true and that the area of land is entitled to disconnection, it shall order the specified land disconnected from the district and thereupon that land shall cease to be a part of the district. The land shall not, however, be relieved from any bonded indebtedness of the district previously created as to that land's proportionate share. The decision of the court is appealable as in other civil cases.

(Source: P.A. 86-916.)

Section 10. The Collective Bargaining Freedom Act is amended by changing Section 10 as follows:

(820 ILCS 12/10)

Sec. 10. Definitions. In this Act:

"Employer" includes any person acting as an agent of an employer, directly or indirectly, but does not include the United States or any wholly owned government corporation, or any Federal Reserve Bank, or any State or political subdivision thereof, or any person subject to the Railway Labor Act, 45 U.S.C. 151 et seq., as amended from time to time, or any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organization.

"Interested party" means a person with an interest in compliance with this Act.

"Labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and that exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

"Local government" and "political subdivision" include, but are not limited to, any county, city, town, township, village, municipality or subdivision thereof, airport

authority, cemetery district, State college or university, community college, conservation district, drainage district, electric agency, exposition and auditorium authority, fire protection district, flood prevention district, forest preserve district, home equity program, hospital district, housing authority, joint action water agency, mass transit district, mosquito abatement district, multi-township assessment district, museum district, natural gas agency, park district, planning agency, port district, public building commission, public health district, public library district, public water district, emergency services ~~rescue~~ squad district, river conservancy district, road and bridge district, road district, sanitary district, school district, soil and water conservation district, solid waste agency, special recreation association, street lighting district, surface water district, transportation authority, water authority, water commission, water reclamation district, water service district, municipal corporation, and any other district, agency, or political subdivision authorized to legislate or enact laws affecting its respective jurisdiction, notwithstanding such local government or political subdivision's authority to exercise any power and perform any function pertaining to its government and affairs granted to it by the Illinois Constitution, a law, or otherwise.

(Source: P.A. 101-3, eff. 4-12-19.)