

1 AN ACT concerning fire protection.

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

4 Section 5. The Township Code is amended by changing
5 Section 200-12 and by adding Sections 200-13 and 200-14 as
6 follows:

7 (60 ILCS 1/200-12)

8 Sec. 200-12. Tax increase; referendum.

9 (a) A township with a population of less than 100,000
10 may levy taxes at a rate in excess of 0.02% of the value of
11 all taxable property within the township as equalized or
12 assessed by the Department of Revenue if the increase is
13 approved by the voters as provided in this Section. The
14 township board may, by ordinance, place the question of
15 whether the tax rate of the township should be increased from
16 0.02% to 0.125% for fire protection, rescue, and emergency
17 vehicles and equipment on the ballot at any election. The
18 township board shall certify the question to the proper
19 election officials, who shall submit the question at an
20 election in accordance with the general election law. The
21 question shall be in the following form.

22 Shall the maximum allowable tax rate for the (name
23 of township) Township, be increased from 0.02% to 0.125%
24 of the value of all taxable property within the township
25 as equalized or assessed by the Department of Revenue for
26 fire protection, rescue, and emergency vehicles and
27 equipment?

28 The votes shall be recorded as "Yes" or "No".

29 The result of the referendum shall be entered upon the
30 records of the township. If a majority of the voters at the
31 election vote in favor of the proposition, the township may

1 levy taxes annually at a tax extendable rate not to exceed
2 0.125% of the value of all taxable property within the
3 township as equalized or assessed by the Department of
4 Revenue.

5 A referendum held under this Section shall be conducted
6 in accordance with the Election Code.

7 (b) The township board has power to levy the taxes at a
8 rate in excess of 0.125% but not in excess of 0.30% of the
9 value of all taxable property within the township, as
10 equalized or assessed by the Department of Revenue, under the
11 following terms and conditions.

12 The township board shall provide by ordinance for the
13 levy and collection of taxes at a rate not in excess of 0.30%
14 of the value of all taxable property within the township as
15 equalized or assessed by the Department of Revenue. A
16 certified copy of the ordinance shall be filed in the office
17 of the clerk of the county in which the township is situated,
18 which certified copy constitutes authority for the clerk in
19 each case to extend taxes annually at the rate so provided
20 against all of the taxable property contained in the
21 township.

22 After the ordinance has been passed, it shall be
23 published once within 30 days after its passage in one or
24 more newspapers published in the county in which the township
25 is located and having general circulation within the
26 township. If no newspaper is published in the county that
27 has general circulation in the township, publication may be
28 made instead by posting copies of the ordinance in 10 public
29 places within the township. The publication or posting of the
30 ordinance shall include a notice of (1) the specific number
31 of voters required to sign a petition requesting that the
32 question of the adoption of the tax levy be submitted to the
33 voters of the township; (2) the time within which the
34 petition must be filed; and (3) the date of the prospective

1 referendum. The township clerk shall provide a petition form
2 to any individual requesting one.

3 If no petition is filed with the township board within 30
4 days after publication or posting of the ordinance, the
5 township is authorized to levy the tax. If, however, within
6 the 30-day period a petition signed by the electors of the
7 township equal in number to 10% or more of the registered
8 voters in the township is filed with the township board
9 asking that the question of levying the tax be submitted to
10 the electors of the township, the township board shall
11 certify the question to the proper election officials, who
12 shall submit the question at an election in accordance with
13 the general election law.

14 The proposition shall be substantially in the following
15 form:

16 Shall the maximum allowable tax rate for (insert
17 name of township) township fire department be increased
18 from 0.125% to 0.30% of the value of all taxable property
19 within the township as equalized or assessed by the
20 Department of Revenue?

21 The votes shall be recorded as "Yes" or "No".

22 If a majority of the electors voting on the question vote
23 in the affirmative, the township may thereafter levy the tax.

24 (c) The township board may levy the taxes at a rate in
25 excess of 0.125% and in excess of 0.30% but not in excess of
26 0.40% of the value of all taxable property within the
27 township as equalized or assessed by the Department of
28 Revenue. The tax may not be levied until the question of
29 levying the tax has been submitted to the electors of the
30 township at a regular election and approved by a majority of
31 the electors voting on the question. The township board shall
32 certify the question to the proper election officials, who
33 shall submit the question at an election in accordance with
34 the general election law. The proposition shall be in

1 substantially the following form:

2 Shall the maximum allowable tax rate for the (insert
3 name of township) township fire department be increased
4 from 0.125% to 0.40% (or from 0.30% to 0.40%, as the case
5 may be) of the value of all taxable property within the
6 township as equalized or assessed by the Department of
7 Revenue?

8 The votes shall be recorded as "Yes" or "No".

9 The results of the referendum shall be entered upon the
10 records of the township. If a majority of the electors
11 voting on the question vote in the affirmative, the township
12 board may thereafter levy the tax.

13 (Source: P.A. 90-296, eff. 8-1-97.)

14 (60 ILCS 1/200-13 new)

15 Sec. 200-13. Board authority. The township board of any
16 township operating a fire department has the power and it is
17 its legal duty and obligation to provide as nearly adequate
18 protection from fire for all persons and property within the
19 township as possible and to prescribe necessary regulations
20 for the prevention and control of fire within the township.
21 The township board may provide and maintain life saving and
22 rescue equipment, services, and facilities, including
23 emergency ambulance service. Except in cities having a
24 population of 500,000 or more inhabitants and except in
25 municipalities in which fire prevention codes have been
26 adopted, the township board has the express power to adopt
27 and enforce fire prevention codes and standards parallel to
28 national standards.

29 (60 ILCS 1/200-14 new)

30 Sec. 200-14. Fire department regulations and rules. A
31 township providing fire protection services on the effective
32 date of this amendatory Act of the 92nd General Assembly

1 shall be held to the standard of Sections 16.01 through 17 of
2 the Fire Protection District Act, substituting "township"
3 where "fire protection district" is indicated.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.