

OVERRIDING A RAUNER VETO, ILLINOIS REQUIRES FIRE CHIEFS BE QUALIFIED

On November 27, 2018, with a 3/5 vote in the House, the Illinois General Assembly overrode an earlier veto by Governor Rauner and established basic qualifications for the position of fire chief. The veto override was passed in the Senate on November 14, 2018. Senate Bill 2619, or the Muni-Appointment of Fire Chief Law, was originally passed by both houses of the General Assembly on May 30, 2018. However, Rauner vetoed the bill on August 27, 2018.

The Act amends the Illinois Municipal Code and the Fire Protection District Act, addressing the appointment of a fire chief, acting chief, the department head, or a position that is responsible for the day-to-day operations of a fire department. It also limits home rule powers on and after the effective date, and became effective immediately.

The bill requires that any fire chief, acting chief, department head or individual in a position that is responsible for the day-to-day operations of a fire department for greater than 180 days must possess a current certifications from the International Fire Accreditation Congress or Pro Board Fire Service Professional Qualification System that meets the National Fire Protection Association standard NFPA 1001 Level 1 job performance requirements. A chief will also need a current certification that meets standard NFPA 1021 for Fire Office II job performance requirements. The chief must also have qualifications that meet the above standards. The individual must also have an associate degree in fire science or a bachelor's degree from an accredited university or college.

A home rule authority is also expressly prohibited from appointing, for a period greater than 180 days, a "fire chief, acting chief, a department head, or a position, by whatever title, that is responsible for day-to-day operations of a fire department" anyone who does not meet the stated certification and qualification requirements. This legislation is an important step in making sure that fire departments and fire protections districts are being run by individuals who understand firefighters' work, risks and needs in how best to run a department or district.

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Dated: November 29, 2018

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