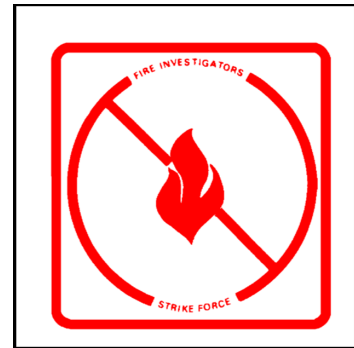


# ***FIRE INVESTIGATORS STRIKE FORCE MEMBERSHIP HANDBOOK***



***A chapter of the Illinois Fire Inspectors Association***



## ***MEMBERSHIP HANDBOOK***

# History of the Fire Investigators Strike Force

From an article in the Arson Update newsletter of the Illinois Advisory Committee on Arson Prevention dated April 1984.

What started as an informal gathering of a few Northern Illinois Firefighters has evolved into an organization of fire and police officials from 35 communities who help one another improve their effectiveness as fire investigators. The Fire Investigation Strike Force was established in November 1981 following discussions between IACAP board members, George A. Lechner, Chief of Fire Prevention in Des Plaines, Illinois, and Lonnie Jackson of Mt. Prospect, Illinois. We were involved in separate fire investigations and had similar problems, Lechner recalled. We decided to bring together several committees to discuss these issues. The group began meeting on the second Wednesday of each month, first in Des Plaines, then in various other cities that were represented. Eventually, the Strike Force put together a list of Goals and Objectives:

1. Better communication and education are needed to attack the arson problem.
2. Direct lines of communication for the exchange of information.
3. Making the organization able to assist its members in investigations.
4. Association with other agencies in the same field to assist in gathering Information.
5. Developing a reference list of members who are available for teaching, training, and speaking.

"We decided to have a one-hour program as part of each meeting," said Lechner. We've had speakers on using video equipment to process a fire scene, how to help prosecutors build a case, and better ways to handle evidence.'<sup>1</sup>

The Strike Force's next project was to establish a mutual aid system, making it easier for communities to assist one another in firefighting and fire investigation. Each town sends out several 5x7 cards, each with a unique number that designates a specific location within that town and specifies the type of equipment that should be sent to a fire at that location. If they get a call for help from my department, they immediately know what kind of equipment to send. The same principle applies if my department receives a call from another town. For example, you need more than one investigator on a suspicious shopping mall fire. Through the mutual aid system, you can call on others to perform preliminary work and identify departments that can assist with photographers and specialized equipment. As a result of the strike Force, fire investigators have been more successful in detecting patterns of arson,'<sup>1</sup> Lechner said. "We're less reluctant to ask each other for help now," he said.

This organization started as the:

## NORTH COOK COUNTY FIRE INVESTIGATORS STRIKE FORCE

On December 10, 1981, the first formal meeting was held in Des Plaines, with 14 people from eight departments in attendance. On the Agenda was the following item: ... it was suggested that a cooperation agreement, such as MABAS, could be established to enable various fire investigators to collaborate and gain experience in addressing area-wide arson incidents. Each will discuss the matter with their chief to see if there is an interest... Our primary function for now would be:

1. To update investigation techniques
2. Exchange ideas regarding fire investigation
3. **Exchange incidents of fires to see if participating** communities are experiencing any "trends."
4. Exchange school and legislative matters.

-By January 1982, the strike force had expanded to 22 members, drawn from 14 departments. There was a presentation at each meeting in 1982, and by October, the membership had grown to 26 departments and a total of 55 members.

-The first elected officers of the strike force were elected on February 15, 1983. As the MABAS concept evolved, the strike force prepared to present it to Division I. On May 4, 1983, it was presented to the executive board of MABAS, and it was well received.

-In June 1983, the SOP checklist was finished, and a committee was formed to conduct a one-day BASIC FIRE INVESTIGATION seminar.

-ID cards were discussed in July, and the final writing of the bylaws had been undertaken.

-A seminar scheduled for October was canceled due to a lack of registrants. Only nine people had signed up.

-By December 1983, the box cards were ready for service in select departments within Division 3.

-At the February 1984 meeting, the organization changed its name to: **FIRE INVESTIGATORS STRIKE FORCE.**

-The Lake County Fire Inspectors Association was voted in as an associate member of the Strike Force. In March of 1984, the following committees were staffed:

1. TRAINING
2. MEMBERSHIP
3. PROGRAMS

Programs will be held every other month to allow for business matters and longer programs. We will discuss MODS I, II, and III.

It was also decided to accept individual Lake County departments rather than the entire county as a group.

In May of 1984, the bylaws were revised and adopted. In July of 1984, Division 1 accepted the Strike Force into MABAS. August brought a discussion of meeting sites with a rotation to towns north, south, and west. George Lechner also reported on his use of the Strike Force for a lumberyard fire in Des Plaines. The September meeting was held at Lutheran General Hospital and was the first long program. It was hosted by ATF. In October. In November, the Strike Force hosted MODS I & II. In November, a discussion arose about the strike Force being used in Northbrook in connection with a fatality. Farbman (North Maine) and Lechner (Des Plaines) assisted with the cause and origin investigation; this was due to the State Fire Marshal being unable to send an Investigator to the scene in a timely manner. In December 1984, the FISF was accepted as a chapter member of the **ILLINOIS FIRE INSPECTORS ASSOCIATION**.

MODS I, II, & III were taught in April, May, and June of 1985, at North Maine F.D.

At the November meeting, the following was discussed and noted. MABAS Division 1 has announced that, with the implementation of box cards for investigators, it is their position that only towns with reciprocal arrangements for responding to investigators will be acknowledged. This is an attempt to prevent towns from relying on mutual aid investigations instead of training their own personnel to conduct investigations.

In 1986, the following items were discussed or completed: static display board,

1. Rework the training committee,
2. Establish a computer database,
3. Create a centrally located meeting place
4. Extra mailings to police departments,
5. A 2-day basic arson program

## **FIRE INVESTIGATORS STRIKE FORCE GOALS AND OBJECTIVES**

- To provide an ongoing source of training and information on current topics and advancements in the science of fire investigation.
- To provide an established forum for the exchange of information and ideas relevant to current problems in fire causation.
- To provide a means for investigators from different agencies to create and cultivate relationships that will further the investigation of fire causation.
- To act as a vehicle for increased visibility and professionalism of the role of the fire investigator.

# **CONSTITUTION AND BY-LAWS FIRE INVESTIGATORS STRIKE FORCE**

ARTICLE I NAME AND PURPOSE

ARTICLE II MEMBERSHIP

ARTICLE III GOVERNMENT

ARTICLE IV OFFICES AND ELECTIONS

ARTICLE V COMMITTEES

ARTICLE VI MEETINGS

ARTICLE VII FINANCIAL STRUCTURE

ARTICLE VIII AMENDMENTS

ARTICLE IX RATIFICATION

ACCEPTED AND RATIFIED: FEBRUARY 8, 1984

AMENDED: MARCH 11, 1987

AMENDED: DECEMBER 16, 1987

AMENDED: DECEMBER 14, 1988

AMENDED: DECEMBER 9, 1992

AMENDED: DECEMBER 1, 1993

AMENDED: DECEMBER 10, 1995

AMENDED: FEBRUARY 12, 1997

## ARTICLE I

### NAME AND PURPOSE

#### SECTION A - NAME

The Organization shall be known as the Fire Investigators Strike Force, herein referred to as the Organization.

The name of the Organization shall only be used to carry out the purpose of the Organization or with the expressed permission of the Board of Directors.

#### SECTION B - PURPOSE

1. The purpose of the organization is as follows:

A. To provide ongoing training to fire and police investigators in the determination of fire origin and the investigation of fire causation.

B. To educate the public as to the importance and impact of the crime of arson, as well as to the need for proper fire prevention.

C. To act as a training clearinghouse for the use by member departments in establishing minimum training requirements for investigators.

D. To provide an ongoing record of training for use by member departments for annual statistics and re-certification purposes

## ARTICLE II

### MEMBERSHIP

#### SECTION A - ACTIVE MEMBERS

a. Any local, state, or federal governmental unit, or any other agency as approved by the Board of Directors, may be an active member if engaged in some phase of the fire investigation process. These activities may include, but are not limited to: the investigation of fire suppression of arson, or the administration of justice.

b. Any member must be at least 18 years of age.

1. A representative of an active member organization shall be eligible to do the following:

- Attend all meetings and functions. Have the floor to speak and propose ideas and motions for action. May run and hold any elected office in the Organization.

## SECTION B - ASSOCIATE MEMBER

a. Any person, partnership, corporation, or association with interests in a fire investigation, and complying with the Constitution and Bylaws of this organization state that one is eligible to be an Associate member. This is subject to the approval of the Board of Directors, upon receipt of the application, will meet at a meeting.

b. An associate member shall have the privileges of an active member with the following exceptions:

1. Is ineligible to vote.
2. Is ineligible to hold an elected office.

## SECTION C - HONORARY MEMBERS

a. Every person who is honorably retired or discharged in good standing from employment or association with a current or past An active member organization that has an interest in the field of fire investigation is eligible to apply for membership as an honorary member. This is subject to the approval of the Board of Directors. An Honorary member shall have the same privileges as an active member, with the exception that the Honorary member is exempt from the requirements of annual dues or other assessments.

b. Honorary member status shall continue annually unless the member tenders a resignation or the Board of Directors withdraws the membership for cause.

## SECTION D - APPLICATION

The Membership Committee shall review all requests for



membership regarding the professionalism and personal character of the organization or applicant.

#### SECTION E - ELIGIBILITY

No person, group, or concern shall be eligible for membership who is or becomes a member of a subversive organization or any organization whose objectives and operations are inconsistent with the Fire Investigators Strike Force, or those of the Government of the United States.

#### SECTION F - TERMINATION

Termination of any membership may be by voluntary request or as recommended by the Board of Directors, which is subject to a two-thirds vote of the members present at a regular meeting.

### ARTICLE III GOVERNMENT

#### SECTION A - STRUCTURE

- a. The organization shall be a non-profit and self-governing sub-chapter under the charter 9f the Illinois Fire Inspectors Association.
- b. The Organization shall be governed by a Board of Directors consisting of the following officers:
  1. President.
  2. Vice-President
  3. Secretary.
  4. Treasurer
  5. Executive Director.
  6. Chairman of the Training and Membership Committees.

### ARTICLE IV OFFICES AND ELECTIONS

#### SECTION A - OFFICES

1. The Offices and duties shall be as follows:
  - a. President: to preside over all meetings and functions

And to direct committees towards organizational goals.

- b. Vice-President: to assist the President and act on his behalf in his absence.
- c. Secretary: to keep records of all meetings and functions, and to maintain all records of the organization.
- d. Treasurer: to keep records of all financial transactions and to prepare the proper statements.
- e. Executive Director: to assist the President and Board Of Directors in the discharge of their duties.

#### SECTION B - TENURE:

- 1 The tenure of all offices shall be one year, unless there is a current vacancy. The change of offices taking place at the conclusion of the December meeting, after a proper election at the same meeting.
- 2 The succession of office shall be from treasurer to secretary, secretary to vice-president, and vice-president to president. This succession is not automatic and is subject to nomination at the November regular meeting, and subsequent majority vote by those in attendance at the December regular meeting.
- 3 Anyone may nominate an officer candidate at the December meeting, prior to the official vote.

The executive director shall be named by the incoming president, with the selection being made from past presidents. The ~  
The outgoing president shall be given first consideration for selection.

Vacancy in any office shall be filled by the Board of Directors for the unexpired portion of the term.

#### SECTION C - ELECTIONS:

- 1. It shall be held at the December regular meeting by closed ballot unless waived by a proper motion from the membership present at the meeting.

## SECTION D - VOTING:

1. Each active member organization representative and an honorary member in attendance during any vote will have one vote for each such balloting or election.

## ARTICLE V

### COMMITTEES:

#### SECTION A - FUNCTIONS

1. All committees will function under the direction of the Organization President

#### SECTION B - CLASSIFICATION OF FUNCTIONS

1. Membership Committee: To review and recommend approval of applications for membership. The committee shall actively recruit new members and maintain a liaison with existing members. The Chairman shall be appointed by the President and approved by the Board of Directors.
2. Training Committee: to arrange for monthly training speakers and topics, as well as to organize and coordinate seminars and special functions. The committee shall also be responsible for maintaining annual training records for all members and providing a copy of these records to the respective member organization training officers. The chairman shall be appointed by the president and approved by the Board of Directors.

## ARTICLE V

### SECTION C-COMMITTEE SIZE

1. The number of persons serving on a committee will be determined by the Committee Chairman, as needed, with the president's approval.

## ARTICLE VI

### SECTION A - MEETING SCHEDULE

1. Regular meetings shall be held on the second Wednesday of each month at 0930 hours, except in October, when the meeting is held on the third Wednesday. Each meeting shall

provide two hours of training on a relevant topic. There are no meetings during July and August.

2. An eight-hour seminar will be held twice a year, in May and October, replacing the regular monthly meetings.
3. Special meetings may be called, as needed by the president.

## ARTICLE VII FINANCIAL STRUCTURE

### SECTION A - DUES

1. Dues shall be \$100.00 per year per membership concern agency, and/or municipality. Only one due is required per town, covering both the fire and police departments. There is no limit to the number of personnel who may be representatives of each member.
2. Dues shall be billed by September 1 of each year and are Payable by June 30 of the same year. All delinquent members shall have membership privileges suspended effective September 30 of the same year until payment is made.

### SECTION B - DISBURSEMENTS

1. Disbursements and payments may be made with the approval of the President and Board of Directors by a simple majority vote.

### SECTION C - AUDIT

1. The organization, through the treasurer, shall have an annual outside audit completed concerning the financial transactions of the Organization for the previous year. Did we have this?

## ARTICLE VIII AMENDMENTS

### SECTION A - ACCEPTANCE

1. Any article or section of these by-laws may be amended, rescinded, or expanded by a vote of two-thirds of the members present at a regularly scheduled monthly meeting. This vote shall occur one month after the first reading and publishing of the changes in the monthly minutes.

## ARTICLE IX

## RATIFICATION

### SECTION A - ACCEPTANCE

1. Upon ratification acceptance by a two-thirds vote of members present at the February 8, 1984, meeting, all provisions and articles shall become effective and enforceable by the Organization.

AMENDED: 3-11-87

AMENDED: 12-16-87

AMENDED: 12-14-88

AMENDED: 12-09-92

AMENDED: 12-01-93

AMENDED: 12-13-95

AMENDED: 02-12-97

**Illinois Compiled Statutes (ILCS) / Illinois General Assembly**

**2024 Illinois Compiled Statutes Chapter 215  
INSURANCE 215 ILCS 145/ - Property Fire Loss Act.**

(215 ILCS 145/0.1) (from Ch. 73, par. 1152.1)

Sec. 0.1. This Act shall be known and may be cited as the "Property Fire Loss Act".

(Source: P.A. 81-682.)

(215 ILCS 145/1) (from Ch. 73, par. 1153)

Sec. 1. (a) The Fire Marshal, the director of the Department of Insurance or personnel from any other authorized fire department or law enforcement agency charged with the responsibility of investigating a fire loss or potential fire loss, may request any insurance company that has investigated or is investigating a fire loss or potential fire loss of real or personal property to release any factual information in its possession which is pertinent to this type of loss or potential loss and has some relationship to the loss or potential loss itself. The company shall release the information and cooperate with any official authorized to request such information pursuant to this Section. The information shall include, but is not limited to:

- (1) any insurance policy relevant to a fire loss or potential fire loss under investigation and any application for such a policy;
- (2) policy premium payment records;
- (3) history of previous claims made by the insured for fire loss;
- (4) material relating to the investigation of the loss or potential loss, including statements of any person, proof of loss, and any other relevant evidence.

(b) If an insurance company has reason to believe that a fire loss to its insured's real or personal property was caused by other than accidental means, the company shall notify the Fire Marshal, the director of the Department of Insurance or any other appropriate law enforcement agency charged with the responsibility to investigate fire losses and furnish such persons with all relative material acquired during its investigation of the fire loss, cooperate with and take such reasonable action as may be requested by any law enforcement agency, and cooperate with the Court and administrative agencies of the State, and any official from the Fire Marshal's office, the office of the director of the

Department of Insurance or any law enforcement agency charged with the responsibility to investigate the fire. Such an insurance company may request officials and departmental and agency personnel receiving information on fire losses or potential fire losses to release information relative to any investigation it has made concerning any such fire loss or potential loss reported by such company. Subject to the provisions of subsection (a) of this Section and subparagraphs (i), (iii), (iv), (v), (vi), and (vii) of paragraph (d) of subsection (1) of Section 7 of the Freedom of Information Act, such insurance company shall have the right to receive, within a reasonable time, not to exceed 30 days after the receipt of such request, the relevant information requested.

(c) In the absence of malice, no insurance company, or person who furnishes information on its behalf, or authorized person, department or agency as defined in subsection (a) who releases information, is liable for damages in a civil action or subject to criminal prosecution for any oral or written statement made or any other action taken that is necessary to supply information required pursuant to this Section.

(d) The officials and departmental and agency personnel receiving any information furnished pursuant to this Section shall hold the information in confidence until such time as its release is required pursuant to this Section or a criminal or civil proceeding.

(e) Any official referred to in paragraph (a) of this Section may be required to testify as to any information in his possession regarding the fire loss of real or personal property in any civil action in which any person seeks recovery under a policy against an insurance company for the fire loss.

(f) As used in this Section, "insurance company" includes the Illinois Fair Plan Underwriting Association, and all district, county and township mutual insurance companies.

(g) (1) No person shall intentionally or knowingly refuse to release any information properly requested, pursuant to paragraph (a) of this Section.

(2) No person shall refuse to make the necessary notification of a fire loss pursuant to paragraph (b) of this Section.

(3) No person shall refuse to supply to the proper authorities pertinent information required to be furnished pursuant to paragraph (b) of this Section.

(4) No person shall fail to hold in confidence information required to be held in confidence by paragraph (d) of this Section.

(h) Whoever violates paragraph (g) (1), (2), (3) or (4) of this Section is guilty of a Class C misdemeanor and is subject to a fine not to exceed \$100. It shall not be considered a

violation of this Section if an insurance company in good faith, believes it has done everything required of it by this Statute.

(i) A fire department or law enforcement agency that has investigated or is investigating a fire loss or potential fire loss of real or personal property may release to an insurer of such property any factual information, including statements, in its possession that is pertinent or related to the type of loss or potential loss.

## **Fire Investigation Act.**

### **2024 Illinois Compiled Statutes Chapter 425 - FIRE SAFETY 425 ILCS 25/**

(425 ILCS 25/0.01) (from Ch. 127 1/2, par. 5.9)

Sec. 0.01. Short title. This Act may be cited as the Fire Investigation Act.

(Source: P.A. 86-1324.)

(425 ILCS 25/3)

Sec. 3. Definitions. In this Act:

"Chief of the fire department" means the senior fire officer of a municipal fire department, volunteer fire department, or fire protection district.

"Local authority having jurisdiction" means a unit of local government or fire protection district located within the State.

"Local fire prevention and life safety standards" means the fire prevention and life safety standards adopted by a local authority having jurisdiction.

"Local officers" means the officers responsible for fire and building code enforcement within their unit of local government or fire protection district.

"Notice" means a notice of violation issued to an owner, occupant, or other person interested in a premises that identifies violations of the fire prevention and life safety rules adopted by the Office.

"Office" means the Office of the Illinois State Fire Marshal and its officers, investigators, inspectors, and administrative employees.



"Order" means an administrative order issued to an owner, occupant, or other person interested in a premises that directs immediate compliance with the fire prevention and life safety rules adopted by the Office.

"Owner, occupant, or other person interested in the premises" means the owner, occupant, or other person with a legal interest in any building, structure, or the real property upon which the building or structure is situated.

"Premises" means any building or structure or the real property upon which the building or structure is situated.

"State Fire Marshal" means the Illinois State Fire Marshal or his or her designee.

(Source: P.A. 101-82, eff. 1-1-20.)

(425 ILCS 25/6) (from Ch. 127 1/2, par. 6)

Sec. 6. Investigation and record of fires; Office of the State Fire Marshal.

(a) The chief of the fire department shall investigate the cause, origin and circumstances of every fire occurring in a municipality or fire protection district, or in any area or on any property which is furnished fire protection by the fire department of such municipality or fire protection district, by which property has been destroyed or damaged, and shall especially make investigation as to whether such fire was the result of carelessness or design. Such investigation shall be begun within two days, not including Sunday, of the occurrence of such fire, and the Office shall have the right to supervise and direct such investigation whenever it deems it expedient or necessary. The officer making investigation of fires occurring in cities, villages, towns, fire protection districts or townships shall forthwith notify the Office and shall by the 15th of the month following the occurrence of the fire, furnish to the Office a statement of all facts relating to the cause and origin of the fire, and such other information as may be called for in a format approved or on forms provided by the Office.

(b) In every case in which a fire is determined to be a contributing factor in a death, the coroner of the county where the death occurred shall report the death to the Office as provided in Section 3-3013 of the Counties Code.

(c) The Office shall keep a record of all fires occurring in the State, together with all facts, statistics and circumstances, including the origin of the fires, which may be determined by the investigations provided by this act; such record shall at all times be open to the public inspection, and such portions of it as the State Director of Insurance may deem necessary shall be transcribed and forwarded to him within fifteen days from the first of January of each year.

(d) In addition to the reporting of fires, the chief of the fire department shall furnish to the Office such other information as the State Fire Marshal deems of importance to the fire services.

(Source: P.A. 101-82, eff. 1-1-20.)

(425 ILCS 25/6.1)

Sec. 6.1. Fire and hazardous material incident reporting rules. The State Fire Marshal may adopt necessary rules for the administration of the reporting of fires, hazardous material incidents, and other incidents or events that the State Fire Marshal deems of importance to the fire services. The reporting of such information shall be based upon the nationally recognized standards of the United States Fire Administration's National Fire Incident Reporting System (NFIRS).

(Source: P.A. 101-82, eff. 1-1-20.)

(425 ILCS 25/7) (from Ch. 127 1/2, par. 7)

Sec. 7. Arson investigations; arrests; prosecution. The Office shall, when in its opinion further investigation is necessary, take or cause to be taken the testimony on oath of all persons supposed to be cognizant of any facts or to have means of knowledge in relation to the matter as to which an examination is herein required to be made, and shall cause the same to be reduced to writing; and if it shall be of the opinion that there is evidence sufficient to charge any person with the crime of arson, or with the attempt to commit the crime of arson, or of conspiracy to defraud, or criminal conduct in connection with such fire, it shall cause such person to be arrested and charged with such offense or either of them, and shall furnish to the proper prosecuting attorney all such evidence, together with the names of witnesses and all of the information obtained by it, including a copy of all pertinent and material testimony taken in the case.

(Source: P.A. 101-82, eff. 1-1-20.)

(425 ILCS 25/8) (from Ch. 127 1/2, par. 8)

Sec. 8. Summons, oaths, and affirmations. The Office shall have power in any county in the State of Illinois to summon and compel the attendance of witnesses before it to testify in relation to any matter which is by the provision of this Act a subject of inquiry and investigation, and may require the production of any book, paper or other document it deems pertinent thereto, and it may require the prompt disclosure of the beneficiaries of any trust by the trustee, the disclosure by any named beneficiary of a trust of all persons who have any direct or indirect interest in the trust or who derive any direct or indirect benefit therefrom, the disclosure of a principal by his nominee, and the disclosure by a corporation of each person who holds 5% or more of the shares of stock of the corporation. The Office is hereby authorized and empowered to administer oaths and affirmations to any persons appearing as witnesses before it, and false swearing in any manner or proceeding aforesaid is perjury and shall be punished as such. Any witness who refuses to be sworn, or who refuses to testify, or disclose any information sought by the Office to which it is entitled, or who disobeys any lawful order of the Office, or who fails or refuses to produce any book, paper or other document touching any matter under examination, or who is guilty of any contemptuous conduct after being summoned to appear before the Office to give testimony in relation to any matter or subject under investigation as aforesaid, is guilty of a Class A misdemeanor and it shall be the duty of the State Fire Marshal to make complaint against the person or persons so refusing to comply with the summons or order of the State Fire Marshal, before the

circuit court in the county in which the investigation is being had, and upon the filing of such complaint, such cause shall proceed in the same manner as other criminal cases.

(Source: P.A. 101-82, eff. 1-1-20.)

(425 ILCS 25/8a)

Sec. 8a. Right of entry; examination of witnesses. The Office shall have the authority at all times of day or night in the performance of the duties imposed by the provisions of this Act, to enter upon and examine any building or premises where any fire has occurred and other buildings and premises adjoining or near the same. All investigations held by or under the direction of the Office may, in its discretion, be private, and persons other than those required to be present by the provisions of this Act, may be excluded from the place where such investigation is held, and witnesses may be kept separate and apart from each other and not allowed to communicate with each other until they have been examined.

(Source: P.A. 101-82, eff. 1-1-20.)

(425 ILCS 25/9) (from Ch. 127 1/2, par. 9)

Sec. 9. Inspections, duties, rules, and enforcement. No person, being the owner, occupant, or other person interested in the premises which is so occupied or so situated as to endanger persons or property, shall permit such building or structure by reason of faulty construction, age, lack of proper repair, or any other cause to become especially liable to fire, or to become liable to cause injury or damage by collapsing or otherwise. No person, being the owner, occupant, or other person interested in the premises, shall keep or maintain or allow to be kept or maintained on such premises, combustible or explosive material or flammable conditions, which endanger the safety of said buildings or premises.

The Office shall adopt and promulgate such reasonable fire prevention and life safety rules as may be necessary to protect the public from the dangers specified in the preceding paragraph. Such rules shall require the installation, inspection or maintenance of necessary fire extinguishers, fire suppression systems, chemical fire suppression systems and fire alarm and protection devices. A copy of any rule adopted by the Office under this Act that is certified by the State Fire Marshal shall be received in evidence in all courts of this State with the same effect as the original.

Subject to Section 9g, all local officers charged with the duty of investigating fires or conducting fire prevention and life safety inspections shall enforce such rules, under the direction of the Office, except in those localities which have adopted fire prevention and life safety standards that have been determined by the Office to be equal to or higher than such rules adopted by the Office.

Subject to Section 9g, the Office, and the officers of cities, villages, towns, townships, municipalities, and fire protection districts charged with the duty of investigating fires or conducting fire prevention and life safety inspections under this Act, shall, under the direction of the Office, inspect and examine at reasonable hours, any premises, and the buildings and other structures thereon, and if, such dangerous condition or fire hazard is found to exist contrary to the rules herein referred to, or if a dangerous condition or fire hazard is found to exist as specified in the first paragraph of this Section, and the rules herein referred to are not applicable to such dangerous condition or fire hazard, shall identify the dangerous condition, and shall so notify the owner, occupant, or other person interested in the premises. Service of the notice upon the owner, occupant, or other person interested in the premises shall be in person, by electric transmission, or by registered or certified mail. If no corrective action is taken by the owner, occupant, or other person interested in the premises to remove or remedy the dangerous condition or fire hazard within a reasonable time, as determined by the Office or the local authority having jurisdiction, an order shall be served upon the owner, occupant, or other person interested in the premises directing that the dangerous condition be removed or remedied immediately. Service of the order upon the owner, occupant, or other person interested in the premises shall be in person, by electronic transmission, or by registered or certified mail.

The Amending Act of 1975 does not impose a limit on any home rule unit.

(Source: P.A. 101-82, eff. 1-1-20.)

(425 ILCS 25/9a) (from Ch. 127 1/2, par. 10)

Sec. 9a. Appeals and hearings. The owner, occupant, or other person interested in such premises, within 10 days after receiving an order from the Office, may appeal the order in writing to the Office. The Office shall thereupon conduct a hearing pursuant to the Illinois Administrative Procedure Act, as amended, and the administrative hearing rules adopted by the Office, and the State Fire Marshal shall either sustain, modify or revoke the order. If the order is sustained or modified, or if no appeal is made to the Office, it shall be the duty of the owner, occupant, or other person interested in the premises to immediately comply with such order. The process for appeals of orders served upon an owner, occupant, or other person interested in the premises by a local authority having jurisdiction shall be according to local ordinance.

(Source: P.A. 101-82, eff. 1-1-20.)

(425 ILCS 25/9b) (from Ch. 127 1/2, par. 11)

Sec. 9b. Administrative review. When an order to remove or remedy a dangerous condition or fire hazard has been modified or sustained by the State Fire Marshal, the owner, occupant, or other person interested in the premises against whom the order has been entered may seek review in the circuit court of the county in which the property affected by the order is located, pursuant to the Administrative Review Law, as amended.

(Source: P.A. 101-82, eff. 1-1-20.)

(425 ILCS 25/9e) (from Ch. 127 1/2, par. 14)

Sec. 9e. Penalties; concurrent jurisdiction. A willful failure, neglect, or refusal to comply (1) with the order of the Office or other officers after it has become final by reason of failure to prosecute an appeal as provided by this Act, or (2) with the judgment of the circuit court sustaining or modifying the order of the Office is a petty offense, and in the event of a continuance of such willful failure, neglect, or refusal to comply with such order, each day's continuance is a separate offense.

The provisions of Sections 9, 9a, 9b, and 9e shall not be construed to affect or repeal any ordinances of any local authority having jurisdiction relating to building inspection, fire limits, fire prevention, or safety standards, but the jurisdiction of the Office of the State Fire Marshal shall, in such local authorities having jurisdiction, be concurrent with that of the local authorities having jurisdiction.

(Source: P.A. 101-82, eff. 1-1-20.)

(425 ILCS 25/9f)

Sec. 9f. Duties owed to firefighters. The owner or occupier of the premises and his or her agents owe fire fighters who are on the premises in the performance of their official duties conducting fire investigations or inspections or responding to fire alarms or actual fires on the premises a duty of reasonable care in the maintenance of the premises according to applicable fire safety codes, regulations, ordinances, and generally applicable safety standards, including any decisions by the Illinois courts. The owner or occupier of the premises and his or her agents are not relieved of the duty of reasonable care if the firefighter is injured due to the lack of maintenance of the premises in the course of responding to a fire, false alarm, or his or her inspection or investigation of the premises.

This Section applies to all causes of action that have accrued, will accrue, or are currently pending before a court of competent jurisdiction, including courts of review.

(Source: P.A. 101-82, eff. 1-1-20.)

(425 ILCS 25/9g)

Sec. 9g. Applicability within home rule units. The provisions of Sections 9, 9a, 9b, and 9e of this Act do not apply within the geographical boundaries of home rule units that have adopted fire prevention and life safety standards by local ordinance, except with respect to State-owned buildings or State-licensed facilities. Nothing in this Act prohibits any home rule unit from voluntarily adopting, in its entirety, the fire prevention and life safety rules adopted by the Office and enforcing those rules concurrently with the Office. Nothing in this Act prohibits the Office from inspecting State-owned buildings or State-licensed facilities that are located within the geographical boundaries of home rule units.

(Source: P.A. 101-82, eff. 1-1-20.)

(425 ILCS 25/10) (from Ch. 127 1/2, par. 15)

Sec. 10. (Repealed).

(Source: P.A. 77-2603. Repealed by P.A. 101-82, eff. 1-1-20.)

(425 ILCS 25/12) (from Ch. 127 1/2, par. 16)

Sec. 12. Insurance assessment. Every fire insurance company, whether upon the stock or mutual plan, and every other personal or business entity doing any form of fire insurance business in the State of Illinois, shall pay to the Department of Insurance in the month of March, such amount as may be assessed by the Department of Insurance, which may not exceed 1% of the gross fire, sprinkler leakage, riot, civil commotion, explosion and motor vehicle fire risk premium receipts of such company or other entity from such business done in the State of Illinois during the preceding year, and shall make an annual report or statement under oath to the Department specifying the amount of such premiums received during the preceding year. The Department of



Insurance shall pay the money so received into the Fire Prevention Fund, to be used as specified in Section 13.1 of this Act.

(Source: P.A. 101-82, eff. 1-1-20.)

(425 ILCS 25/13) (from Ch. 127 1/2, par. 17)

Sec. 13. Insurance assessment penalties. Every company, firm, co-partnership, association or aggregation of individuals, or body of persons insuring each other, or their agents, representatives, or attorneys in fact, who shall refuse or neglect to comply with the requirements of Section 12 of this Act, is liable, in addition to the amount due, for such penalty and interest charges as are provided for under Section 412 of the "Illinois Insurance Code". The Director, through the Attorney General, may institute an action in the name of the People of the State of Illinois, in any court of competent jurisdiction for the recovery of the amount of such taxes and penalties due, and prosecute the same to final judgment, and take such steps as are necessary to collect the same. If such a violation is by a company, association, co-partnership, or aggregation of individuals licensed to do business in the State of Illinois, such license may be revoked by the Department of Insurance.

(Source: P.A. 101-82, eff. 1-1-20.)

(425 ILCS 25/13.1) (from Ch. 127 1/2, par. 17.1)

Sec. 13.1. Fire Prevention Fund.

(a) There shall be a special fund in the State Treasury known as the Fire Prevention Fund.

(b) The following monies shall be deposited into the Fund:

- (1) Money received by the Department of Insurance under Section 12 of this Act.
- (2) All fees and reimbursements received by the Office.
- (3) All receipts from boiler and pressure vessel certification, as provided in Section 13 of the Boiler and Pressure Vessel Safety Act.
- (4) Such other moneys as may be provided by law.

(c) The money in the Fire Prevention Fund shall be used, subject to appropriation, for the following purposes:

- (1) Of the moneys deposited into the fund under Section 12 of this Act, 12.5% shall be available for the maintenance of the Illinois Fire Service Institute and the expenses, facilities, and structures incident thereto, and for making transfers into the General Obligation Bond Retirement and Interest Fund for debt service requirements on bonds issued by the State of Illinois after January 1, 1986 for the purpose of constructing a training facility for use by the Institute. An additional 2.5% of the money deposited into the Fire Prevention Fund shall be available to the Illinois Fire Service Institute for support of the Cornerstone Training Program.
- (2) Of the money deposited into the Fund under Section 12 of this Act, 10% shall be available for the maintenance of the Chicago Fire Department Training Program and the expenses, facilities, and structures incident thereto, in addition to any moneys payable from the Fund to the City of Chicago pursuant to the Illinois Fire Protection Training Act.
- (3) For making payments to local governmental agencies and individuals pursuant to Section 10 of the Illinois Fire Protection Training Act.
- (4) For the maintenance and operation of the Office of the State Fire Marshal, and the expenses incident thereto.
- (4.5) For the maintenance, operation, and capital expenses of the Mutual Aid Box Alarm System (MABAS).
- (4.6) For grants awarded under the Small Fire-fighting and Ambulance Service Equipment Grant Program established by Section 2.7 of the State Fire Marshal Act.
- (4.7) For grants awarded under the Fire Station Rehabilitation and Construction Grant Program established by Section 2.8 of the State Fire Marshal Act.
- (5) For any other purpose authorized by law.

(c-5) Beginning on July 1, 2008, each month, or as soon as practical thereafter, an amount equal to \$1.50 from each fine received shall be transferred from the Fire Prevention Fund to the Fire Truck Revolving Loan Fund, and an amount equal to \$4 from each fine received shall be transferred from the Fire Prevention Fund to the Ambulance Revolving Loan Fund. These monies shall be transferred from the monies deposited into the Fire Prevention Fund pursuant to Public Act 95-154, together with not more than 25% of any unspent appropriations from the prior fiscal year. These monies may be allocated to the Fire Truck Revolving Loan Fund and Ambulance Revolving Loan Fund at the discretion of the Office for the purpose of implementation of this Act.

(d) Any portion of the Fire Prevention Fund remaining unexpended at the end of any fiscal year which is not needed for the maintenance and expenses of the Office or the maintenance and expenses of the Illinois Fire Service Institute shall remain in the Fire Prevention Fund for the exclusive and restricted uses provided in subsections (c) and (c-5) of this Section.

(e) The Office shall keep on file an itemized statement of all expenses incurred which are payable from the Fund, other than expenses incurred by the Illinois Fire Service Institute, and shall approve all vouchers issued therefor before they are submitted to the State Comptroller for payment. Such vouchers shall be allowed and paid in the same manner as other claims against the State.

(Source: P.A. 102-558, eff. 8-20-21; 103-8, eff. 6-7-23; 103-616, eff. 7-1-24.)

(425 ILCS 25/13.2)

Sec. 13.2. Youth Firesetter Interventionist Coordinator; Certified Youth Firesetter Interventionists.

(a) The Office of the State Fire Marshal shall create the position of Youth Firesetter Interventionist Coordinator within the Division of Arson. The Youth Firesetter Interventionist Coordinator must be a Certified Youth Firesetter Interventionist.

The Office shall utilize National Fire Protection Association standards related to the Youth Firesetter Intervention Program Manager in developing the job responsibilities for the Youth Firesetter Interventionist Coordinator.

The Youth Firesetter Interventionist Coordinator shall have the following responsibilities:

- (1) The Youth Firesetter Interventionist Coordinator shall ensure that a Certified Youth Firesetter Interventionist employed within the Office, or a local Certified Youth Firesetter Interventionist, physically sees or connects with a youth whose case was referred to the Office within 72 hours of a referral. If no other Certified Youth Firesetter Interventionist is available, the Youth Firesetter Interventionist Coordinator must take the case and ensure that they physically see or connect with the youth within 72 hours. The 72 hours include any weekend days or national or State holidays.
- (2) The Youth Firesetter Interventionist Coordinator shall assist with Freedom of Information Act requests.
- (3) The Office shall create a report on Youth Firesetter Interventions, and shall submit such report to the General Assembly. The report shall be semiannual for the first 2 years, and the first report shall be submitted to the General Assembly by December 31, 2023. After the first 3 semiannual reports, the report shall be submitted annually. The semiannual reports shall be submitted by: December 31, 2023, June 30, 2024, and December 31, 2024.

(b) A local Certified Youth Firesetter Interventionist rostered with a fire department or fire protection district may receive a \$250 stipend and mileage reimbursement for any necessary travel for a case only if the local Certified Youth Firesetter Interventionist is not otherwise compensated by another employer or entity for that case.