

CLIENT ALERT

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New Duties Imposed by the Decennial Committees on Local Government Act Impact on Fire Protection Districts

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The Decennial Committees on Local Government Efficiency Act (P.A. 102-1088; 50 ILCS 70/1 *et seq.*) became effective in June 2022. The Act requires fire protection districts, among other units of local government, to form a committee to study the topic of efficiency once every ten years. Below is a list of required actions that fire protection district boards must act upon:

1. **Form an Efficiency Act Committee no later than June 10, 2023.** The Act requires fire districts to form an Efficiency Act Committee on or before June 10, 2023. The Committee must consist of the members of the board of trustees, the fire chief (or analogous executive officer), and at least two members of the public who reside within the boundaries of the district. If desired, the Committee can add any other persons to the Committee. Efficiency Act Committee members serve without compensation but may be reimbursed for any expenses incurred. 50 ILCS 70/10(b). We have drafted a model ordinance that fire protection district boards may adopt in establishing the Efficiency Act Committee.
2. **Meet as a Committee no fewer than three times.** Once the Committee has been formed, the clock for final action begins to tick. The Committee is required to meet no fewer than three times within the following eighteen-month period to review the district's current practices, rules, powers, procedures, interrelationships with other governmental units, and any other way the district might be more efficient and accountable to the public. Efficiency Act Committee meetings must be handled in the same manner as regular meetings of the board of trustees, including as follows:

- All Committee meetings must fully comply with the Open Meetings Act, and an agenda must be posted in compliance with OMA ahead of the Committee's meetings.
 - The Committee may meet during the public body's regularly scheduled board meetings, provided that the regular board meeting agenda notes this and the Committee meeting's agenda was posted separately.
 - All members need not be present for the Committee to meet; a majority will suffice.
 - Each Committee meeting must provide an opportunity for public comment for persons to be heard for at least three minutes per speaker.
 - The public body must survey any members of the public who attend the Committee meeting. The survey may be conducted directly after the meeting through handing out a paper form, or the public body may collect the email addresses of attendees who wish to provide them and send an electronic survey. 50 ILCS 70/20.
3. **Write and submit a written report to the county.** Once the Committee has met and studied the local government's accountability and efficiencies, the Committee must prepare and submit a written report to the county. The third or final meeting of the Committee should be reserved for this purpose. The report becomes due eighteen months after the Committee is created and must be made available to the public.

The Act does not say much about the required content and depth of the written report, other than it must summarize the "work and findings" of the Committee and "shall include recommendations in respect to increased accountability and efficiency." 50 ILCS 25. We intend to assist our fire protection district clients in the formulation of a model "Efficiency Act Report" that may be used as a starting point in identification of the issues and considerations that the Committee may use in the completion of their reports. Committees also are empowered to employ specialists such as "consultants, analysts, investigators and assistants as it considers appropriate" to assist in preparation of the report. 50 ILCS 70/10 (c).

Please feel free to reach out to our office if you have any questions about the Act or its requirements.

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