



Rep. Kathleen Willis

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10000HB5290ham001

LRB100 17398 AWJ 37190 a

1 AMENDMENT TO HOUSE BILL 5290

2 AMENDMENT NO. _____. Amend House Bill 5290 on page 1, line
3 5, by replacing "Section 15c" with "Sections 15c and 15d"; and
4 on page 3, immediately below line 17, by inserting the
5 following:

6 "(70 ILCS 705/15d new)

7 Sec. 15d. Disconnection of fire protection district
8 territory by a municipality; economic impact analysis.

9 (a) As used in this Section, "economic impact analysis"
10 means a written report concerning the effect of a
11 municipality's disconnection of territory located both within
12 a municipality and a fire protection district.

13 (b) Notwithstanding any other provision of law, a
14 municipality shall file an economic impact analysis with the
15 county clerk of each county in which a fire protection district
16 is located no less than 90 days prior to filing any action to

1 disconnect territory located both within the municipality and
2 the fire protection district. Each economic impact analysis
3 shall include the following:

4 (1) a statement of existing and projected residential,
5 nonresidential, and commercial growth in the territory
6 within the fire protection district sought to be
7 disconnected by the municipality for a 10-year period, a
8 20-year period, and a 30-year period;

9 (2) a statement of the costs of service incurred by the
10 municipality in providing fire protection or emergency
11 medical services after disconnecting the territory within
12 the fire protection district;

13 (3) a statement that the loss of assessed valuation by
14 reason of the disconnection of the territory will not
15 impair the ability of the fire protection district to
16 render fully adequate fire protection service to the
17 territory remaining with the district;

18 (4) a statement of the probable positive or negative
19 economic effect on businesses within the territory sought
20 to be disconnected; and

21 (5) a statement of the probable positive or negative
22 economic effect on residents within the territory sought to
23 be disconnected.

24 (c) Within 30 days after the filing of an economic impact
25 analysis required by subsection (b), a municipality shall serve
26 a copy of the economic impact analysis on the board of trustees

1 of each impacted fire protection district by certified or
2 registered mail. An affidavit that service of the economic
3 impact analysis has been had as provided by this subsection
4 must be filed with the clerk of the court in which the
5 disconnection proceedings will be instituted. Disconnection of
6 territory is not effective unless service is certified by
7 affidavit filed as provided in this subsection.

8 (d) Notwithstanding any other provision of law, a
9 municipality shall not disconnect any territory within its
10 corporate limits from a fire protection district if the
11 disconnection of the territory would result in increased
12 property taxes to owners of the impacted territory.

13 (e) A municipality, including a home rule municipality, may
14 not disconnect territory from a fire protection district in a
15 manner inconsistent with this Section. This Section is a
16 limitation under subsection (i) of Section 6 of Article VII of
17 the Illinois Constitution on the concurrent exercise by home
18 rule units of powers and functions exercised by the State."