



Sen. Thomas Cullerton

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10000SB2375sam001

LRB100 17919 AWJ 38089 a

1 AMENDMENT TO SENATE BILL 2375

2 AMENDMENT NO. _____. Amend Senate Bill 2375 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by changing
5 Section 18-195 as follows:

6 (35 ILCS 200/18-195)

7 Sec. 18-195. Limitation. Tax extensions made under
8 Sections 18-45 and 18-105 are further limited by the provisions
9 of this Law.

10 For those taxing districts that have levied in any previous
11 levy year for any funds included in the aggregate extension,
12 the county clerk shall extend a rate for the sum of these funds
13 that is no greater than the limiting rate.

14 For those taxing districts that have never levied for any
15 funds included in the aggregate extension, the county clerk
16 shall extend an amount no greater than the amount approved by

1 the voters in a referendum under Section 18-210.

2 If the county clerk is required to reduce the aggregate
3 extension of a taxing district by provisions of this Law, the
4 county clerk shall proportionally reduce the extension for each
5 fund unless otherwise requested by the taxing district.

6 Upon written request of the corporate authority of a
7 village, the county clerk shall calculate separate limiting
8 rates for the library funds and for the aggregate of the other
9 village funds in order to reduce the funds as may be required
10 under provisions of this Law. In calculating the limiting rate
11 for the library, the county clerk shall use only the part of
12 the aggregate extension base applicable to the library, and for
13 any rate increase or decrease factor under Section 18-230 the
14 county clerk shall use only any new rate or rate increase
15 applicable to the library funds and the part of the rate
16 applicable to the library in determining factors under that
17 Section. The county clerk shall calculate the limiting rate for
18 all other village funds using only the part of the aggregate
19 extension base not applicable to the library, and for any rate
20 increase or decrease factor under Section 18-230 the county
21 clerk shall use only any new rate or rate increase not
22 applicable to the library funds and the part of the rate not
23 applicable to the library in determining factors under that
24 Section. If the county clerk is required to reduce the
25 aggregate extension of the library portion of the levy, the
26 county clerk shall proportionally reduce the extension for each

1 library fund unless otherwise requested by the library board.
2 If the county clerk is required to reduce the aggregate
3 extension of the portion of the levy not applicable to the
4 library, the county clerk shall proportionally reduce the
5 extension for each fund not applicable to the library unless
6 otherwise requested by the village.

7 Beginning with the 1998 levy year upon written direction of
8 a county or township community mental health board, the county
9 clerk shall calculate separate limiting rates for the community
10 mental health funds and for the aggregate of the other county
11 or township funds in order to reduce the funds as may be
12 required under provisions of this Law. In calculating the
13 limiting rate for the community mental health funds, the county
14 clerk shall use only the part of the aggregate extension base
15 applicable to the community mental health funds; and for any
16 rate increase or decrease factor under Section 18-230, the
17 county clerk shall use only any new rate or rate increase
18 applicable to the community mental health funds and the part of
19 the rate applicable to the community mental health board in
20 determining factors under that Section. The county clerk shall
21 calculate the limiting rate for all other county or township
22 funds using only the part of the aggregate extension base not
23 applicable to community mental health funds; and for any rate
24 increase or decrease factor under Section 18-230, the county
25 clerk shall use only any new rate or rate increase not
26 applicable to the community mental health funds and the part of

1 the rate not applicable to the community mental health board in
2 determining factors under that Section. If the county clerk is
3 required to reduce the aggregate extension of the community
4 mental health board portion of the levy, the county clerk shall
5 proportionally reduce the extension for each community mental
6 health fund unless otherwise directed by the community mental
7 health board. If the county clerk is required to reduce the
8 aggregate extension of the portion of the levy not applicable
9 to the community mental health board, the county clerk shall
10 proportionally reduce the extension for each fund not
11 applicable to the community mental health board unless
12 otherwise directed by the county or township.

13 If the governmental unit ~~county~~ is not subject to Section
14 1.1 or 1.2 of the Community ~~County~~ Care for Persons with
15 Developmental Disabilities Act, then: (i), beginning with the
16 2001 levy year for a county or township board before the
17 effective date of this amendatory Act of the 100th General
18 Assembly, upon written direction of a county or township board
19 for care and treatment of persons with a developmental
20 disability, the county clerk shall calculate separate limiting
21 rates for the funds for persons with a developmental disability
22 and for the aggregate of the other county or township funds in
23 order to reduce the funds as may be required under provisions
24 of this Law; and (ii) beginning with the levy year next
25 following the effective date of this amendatory Act of the
26 100th General Assembly, upon written direction of the board of

1 a governmental unit not covered under item (i) for care and
2 treatment of persons with a developmental disability, the
3 county clerk shall calculate separate limiting rates for the
4 funds for persons with a developmental disability and for the
5 aggregate of the other governmental unit funds in order to
6 reduce the funds as may be required under provisions of this
7 Law. If the governmental unit ~~county~~ is subject to Section 1.1
8 or 1.2 of the Community County Care for Persons with
9 Developmental Disabilities Act, then, beginning with the levy
10 year in which the voters approve the tax under Section 1.1 or
11 1.2 of that Act, the county clerk shall calculate separate
12 limiting rates for the funds for persons with a developmental
13 disability and for the aggregate of the other governmental unit
14 ~~county or township~~ funds in order to reduce the funds as may be
15 required under provisions of this Law. In calculating the
16 limiting rate for the funds for persons with a developmental
17 disability, the county clerk shall use only the part of the
18 aggregate extension base applicable to the funds for persons
19 with a developmental disability; and for any rate increase or
20 decrease factor under Section 18-230, the county clerk shall
21 use only any new rate or rate increase applicable to the funds
22 for persons with a developmental disability and the part of the
23 rate applicable to the board for care and treatment of persons
24 with a developmental disability in determining factors under
25 that Section. The county clerk shall calculate the limiting
26 rate for all other governmental unit ~~county or township~~ funds

1 using only the part of the aggregate extension base not
2 applicable to funds for persons with a developmental
3 disability; and for any rate increase or decrease factor under
4 Section 18-230, the county clerk shall use only any new rate or
5 rate increase not applicable to the funds for persons with a
6 developmental disability and the part of the rate not
7 applicable to the board for care and treatment of persons with
8 a developmental disability in determining factors under that
9 Section. If the county clerk is required to reduce the
10 aggregate extension of the board for care and treatment of
11 persons with a developmental disability portion of the levy,
12 the county clerk shall proportionally reduce the extension for
13 each fund for persons with a developmental disability unless
14 otherwise directed by the board for care and treatment of
15 persons with a developmental disability. If the county clerk is
16 required to reduce the aggregate extension of the portion of
17 the levy not applicable to the board for care and treatment of
18 persons with a developmental disability, the county clerk shall
19 proportionally reduce the extension for each fund not
20 applicable to the board for care and treatment of persons with
21 a developmental disability unless otherwise directed by the
22 governmental unit ~~county or township~~.

23 As used in this Section, "governmental unit" has the
24 meaning given to that term in Section 0.05 of the Community
25 Care for Persons with Developmental Disabilities Act.

26 (Source: P.A. 96-1350, eff. 7-28-10.)

1 Section 10. The Counties Code is amended by changing
2 Sections 5-1024 and 5-44020 as follows:

3 (55 ILCS 5/5-1024) (from Ch. 34, par. 5-1024)

4 Sec. 5-1024. Taxes. A county board may cause to be levied
5 and collected annually, except as hereinafter provided, taxes
6 for county purposes, including all purposes for which money may
7 be raised by the county by taxation, in counties having 80,000
8 or more but less than 3,000,000 inhabitants at a rate not
9 exceeding .25%, of the value as equalized or assessed by the
10 Department of Revenue; in counties with less than 80,000 but
11 more than 15,000 inhabitants at a rate not exceeding .27%, of
12 the value as equalized or assessed by the Department of
13 Revenue; in counties with less than 80,000 inhabitants which
14 have authorized a tax by referendum under Section 7-2 of the
15 Juvenile Court Act prior to the effective date of this
16 amendatory Act of 1985, at a rate not exceeding .32%, of the
17 value as equalized or assessed by the Department of Revenue;
18 and in counties with 15,000 or fewer inhabitants at a rate not
19 exceeding .37%, of the value as equalized or assessed by the
20 Department of Revenue; and in counties having 3,000,000 or more
21 inhabitants for each even numbered year, subject to the
22 abatement requirements hereinafter provided, at a rate not
23 exceeding .39% of the value, as equalized or assessed by the
24 Department of Revenue, and for each odd numbered year, subject

1 to the abatement requirements hereinafter provided, at a rate
2 not exceeding .35% of the value as equalized or assessed by the
3 Department of Revenue, except taxes for the payment of interest
4 on and principal of bonded indebtedness heretofore duly
5 authorized for the construction of State aid roads in the
6 county as defined in "An Act to revise the law in relation to
7 roads and bridges", approved June 27, 1913, or for the
8 construction of county highways as defined in the Illinois
9 Highway Code, and except taxes for the payment of interest on
10 and principal of bonded indebtedness duly authorized without a
11 vote of the people of the county, and except taxes authorized
12 as additional by a vote of the people of the county, and except
13 taxes for working cash fund purposes, and except taxes as
14 authorized by Sections 5-601, 5-602, 5-603, 5-604 and 6-512 of
15 the Illinois Highway Code, and except taxes authorized under
16 Section 7 of the Village Library Act, and except taxes levied
17 to pay the annual rent payments due under a lease entered into
18 by the county with a Public Building Commission as authorized
19 by Section 18 of the Public Building Commission Act, and except
20 taxes levied under Division 6-3, and except taxes levied for
21 general assistance for needy persons in counties under
22 commission form of government and except taxes levied under the
23 Community ~~County~~ Care for Persons with Developmental
24 Disabilities Act, and except taxes levied under the Community
25 Mental Health Act, and except taxes levied under Section 5-1025
26 to pay the expenses of elections and except taxes levied under

1 "An Act to provide the manner of levying or imposing taxes for
2 the provision of special services to areas within the
3 boundaries of home rule units and non-home rule municipalities
4 and counties", approved September 21, 1973, and except taxes
5 levied under Section 3a of the Revenue Act of 1939 for the
6 purposes of helping to pay for the expenses of the assessor's
7 office, and except taxes levied under Division 5-21, and except
8 taxes levied pursuant to Section 19 of "The Illinois Emergency
9 Services and Disaster Agency Act of 1975", as now or hereafter
10 amended, and except taxes levied pursuant to Division 5-23, and
11 except taxes levied under Section 5 of the County Shelter Care
12 and Detention Home Act, and except taxes levied under the
13 Children's Advocacy Center Act, and except taxes levied under
14 Section 9-107 of the Local Governmental and Governmental
15 Employees Tort Immunity Act.

16 Those taxes a county has levied and excepted from the rate
17 limitation imposed by this Section or Section 25.05 of "An Act
18 to revise the law in relation to counties", approved March 31,
19 1874, in reliance on this amendatory Act of 1994 are not
20 invalid because of any provision of this Section that may be
21 construed to or may have been construed to restrict or limit
22 those taxes levied and those taxes are hereby validated. This
23 validation of taxes levied applies to all cases pending on or
24 after the effective date of this amendatory Act of 1994.

25 Nothing contained in this amendatory Act of 1994 shall be
26 construed to affect the application of the Property Tax

1 Extension Limitation Law.

2 Any tax levied for general assistance for needy persons in
3 any county in addition to and in excess of the maximum levy
4 permitted by this Section for general county purposes shall be
5 paid into a special fund in the county treasury and used only
6 for the purposes for which it is levied except that any excess
7 in such fund over the amount needed for general assistance may
8 be used for County Nursing Home purposes and shall not exceed
9 .10% of the value, as equalized or assessed by the Department
10 of Revenue. Any taxes levied for general assistance pursuant to
11 this Section may also be used for the payment of warrants
12 issued against and in anticipation of such taxes and accrued
13 interest thereon and may also be used for the payment of costs
14 of administering such general assistance.

15 In counties having 3,000,000 or more inhabitants, taxes
16 levied for any year for any purpose or purposes, except amounts
17 levied for the payment of bonded indebtedness or interest
18 thereon and for pension fund purpose, and except taxes levied
19 to pay the annual rent payments due under a lease entered into
20 by the county with a Public Building Commission as authorized
21 by Section 18 of the Public Building Commission Act, are
22 subject to the limitation that they shall not exceed the
23 estimated amount of taxes to be levied for the year for the
24 purpose or purposes as determined in accordance with Section
25 6-24001 and set forth in the annual appropriation bill of the
26 county and in ascertaining the rate per cent that will produce

1 the amount of any tax levied in any county, the county clerk
2 shall not add to the tax or rate any sum or amount to cover the
3 loss and cost of collecting the tax, except in the case of
4 amounts levied for the payment of bonded indebtedness or
5 interest thereon, and in the case of amounts levied for pension
6 fund purposes, and except taxes levied to pay the annual rent
7 payments due under a lease entered into by the county with a
8 Public Building Commission as authorized by Section 18 of the
9 Public Building Commission Act.

10 In counties having a population of 3,000,000 or more
11 inhabitants, the county clerk shall in each even numbered year,
12 before extending the county tax for the year, reduce the levy
13 for county purposes for the year (exclusive of levies for
14 payment of indebtedness and payment of interest on and
15 principal of bonded indebtedness as aforesaid, and exclusive of
16 county highway taxes as aforesaid, and exclusive of pension
17 fund taxes, and except taxes levied to pay the annual rent
18 payments due under a lease entered into by the county with a
19 Public Building Commission as authorized by Section 18 of the
20 Public Building Commission Act) in the manner described and in
21 an amount to be determined as follows: If the amount received
22 from the collection of the tax levied in the last preceding
23 even numbered year for county purposes as aforesaid, as shown
24 by the county treasurer's final settlement for the last
25 preceding even numbered year and also by subsequent receipts of
26 delinquent taxes for the county purposes fund levied for the

1 last preceding even numbered year, equals or exceeds the amount
2 produced by multiplying the rate extended for the county
3 purposes for the last preceding even numbered year by the total
4 assessed valuation of all property in the county used in the
5 year for purposes of state and county taxes, and by deducting
6 therefrom the amount appropriated to cover the loss and cost of
7 collecting taxes to be levied for the county purposes fund for
8 the last preceding even numbered year, the clerk in determining
9 the rate per cent to be extended for the county purposes fund
10 shall deduct from the amount of the levy certified to him for
11 county purposes as aforesaid for even numbered years the amount
12 received by the county clerk or withheld by the county
13 treasurer from other municipal corporations within the county
14 as their pro rata share of election expenses for the last
15 preceding even numbered year, as authorized in Sections 13-11,
16 13-12, 13-13 and 16-2 of the Election Code, and the clerk in
17 these counties shall extend only the net amount remaining after
18 such deductions.

19 The foregoing limitations upon tax rates, insofar as they
20 are applicable to counties having less than 3,000,000
21 inhabitants, may be increased or decreased under the referendum
22 provisions of the General Revenue Law of Illinois and there
23 shall be no limit on the rate of tax for county purposes that
24 may be levied by a county so long as any increase in the rate is
25 authorized by referendum in that county.

26 Any county having a population of less than 3,000,000

1 inhabitants that has determined to change its fiscal year may,
2 as a means of effectuating a change, instead of levying taxes
3 for a one-year period, levy taxes for a period greater or less
4 than a year as may be necessary.

5 In counties having less than 3,000,000 inhabitants, in
6 ascertaining the rate per cent that will produce the amount of
7 any tax levied in that county, the County Clerk shall not add
8 to the tax or rate any sum or amount to cover the loss and cost
9 of collecting the tax except in the case of amounts levied for
10 the payment of bonded indebtedness or interest thereon and in
11 the case of amounts levied for pension fund purposes and except
12 taxes levied to pay the annual rent payments due under a lease
13 entered into by the county with a Public Building Commission as
14 authorized by Section 18 of the Public Building Commission Act.

15 A county shall not have its maximum tax rate reduced as a
16 result of a population increase indicated by the 1980 federal
17 census.

18 (Source: P.A. 91-51, eff. 6-30-99.)

19 (55 ILCS 5/5-44020)

20 Sec. 5-44020. Definitions. In this Division 5-44:

21 "Fire protection jurisdiction" means a fire protection
22 district, municipal fire department, or service organized
23 under Section 5-1056.1 of the Counties Code, Sections 195 and
24 200 of the Township Code, Section 10-2.1 of the Illinois
25 Municipal Code, or the Illinois Fire Protection District Act.

1 "Governing board" means the individual or individuals who
2 constitute the corporate authorities of a unit of local
3 government.

4 "Unit of local government" or "unit" means any unit of
5 local government located entirely within one county, to which
6 the county board chairman or county executive directly appoints
7 a majority of its governing board with the advice and consent
8 of the county board, but shall not include a fire protection
9 district that directly employs any regular full-time
10 employees, a conservation district organized under the
11 Conservation District Act, a special district organized under
12 the Water Commission Act of 1985, a community mental health
13 board established under the Community Mental Health Board Act,
14 or a board established under the Community ~~County~~ Care for
15 Persons with Developmental Disabilities Act.

16 (Source: P.A. 99-709, eff. 8-5-16; 100-107, eff. 1-1-18.)

17 Section 15. The County Care for Persons with Developmental
18 Disabilities Act is amended by changing Sections 0.01, 1, 1.1,
19 1.2, 3, 4, 5, 7, and 11 and by adding Sections 0.05 and 14 as
20 follows:

21 (55 ILCS 105/0.01) (from Ch. 91 1/2, par. 200)

22 Sec. 0.01. Short title. This Act may be cited as the
23 Community ~~County~~ Care for Persons with Developmental
24 Disabilities Act.

1 (Source: P.A. 89-585, eff. 1-1-97.)

2 (55 ILCS 105/0.05 new)

3 Sec. 0.05. Definitions. As used in this Act:

4 "Governmental unit" means a county, municipality, or
5 township.

6 "Person with a developmental disability" means any person
7 or persons so diagnosed and as defined in the Mental Health and
8 Developmental Disabilities Code. A board of directors
9 operating under this Act may in their jurisdiction, by a
10 majority vote, add to the definition of "person with a
11 developmental disability".

12 (55 ILCS 105/1) (from Ch. 91 1/2, par. 201)

13 Sec. 1. Facilities or services; tax levy. Any governmental
14 unit ~~county~~ may provide facilities or services for the benefit
15 of its residents who are persons with intellectual or
16 developmental disabilities and who are not eligible to
17 participate in any such program conducted under Article 14 of
18 the School Code, or may contract therefor with any privately or
19 publicly operated entity which provides facilities or services
20 either in or out of such governmental unit ~~county~~.

21 For such purpose, the governmental unit ~~county board~~ may
22 levy an annual tax of not to exceed .1% upon all of the taxable
23 property in the governmental unit ~~county~~ at the value thereof,
24 as equalized or assessed by the Department of Revenue. Taxes

1 first levied under this Section on or after the effective date
2 of this amendatory Act of the 96th General Assembly are subject
3 to referendum approval under Section 1.1 or 1.2 of this Act.
4 Such tax shall be levied and collected in the same manner as
5 other governmental unit ~~county~~ taxes, but shall not be included
6 in any limitation otherwise prescribed as to the rate or amount
7 of governmental unit ~~county~~ taxes but shall be in addition
8 thereto and in excess thereof. When collected, such tax shall
9 be paid into a special fund in the governmental unit's ~~county~~
10 treasury, to be designated as the "Fund for Persons With a
11 Developmental Disability", and shall be used only for the
12 purpose specified in this Section. The levying of this annual
13 tax shall not preclude the governmental unit ~~county~~ from the
14 use of other federal, State, or local funds for the purpose of
15 providing facilities or services for the care and treatment of
16 its residents who are intellectually disabled ~~mentally~~
17 ~~retarded~~ or under a developmental disability.

18 (Source: P.A. 99-143, eff. 7-27-15.)

19 (55 ILCS 105/1.1)

20 Sec. 1.1. Petition for submission to referendum by
21 governmental unit ~~county~~.

22 (a) ~~If, on and after the effective date of this amendatory~~
23 ~~Act of the 96th General Assembly,~~ the governmental unit's
24 ~~county~~ board passes an ordinance or resolution as provided in
25 Section 1 of this Act asking that an annual tax may be levied

1 for the purpose of providing facilities or services set forth
2 in that Section and so instructs the county clerk, the clerk
3 shall certify the proposition to the proper election officials
4 for submission at the governmental unit's next general ~~county~~
5 election. The proposition shall be in substantially the
6 following form:

7 Shall (governmental unit) ~~..... County~~ levy an annual
8 tax not to exceed 0.1% upon the equalized assessed value of
9 all taxable property in (governmental unit) ~~the county~~ for
10 the purposes of providing facilities or services for the
11 benefit of its residents who are persons with intellectual
12 or developmental disabilities and who are not eligible to
13 participate in any program provided under Article 14 of the
14 School Code, 105 ILCS 5/14-1.01 et seq., including
15 contracting for those facilities or services with any
16 privately or publicly operated entity that provides those
17 facilities or services either in or out of (governmental
18 unit)? ~~the county?~~

19 (b) If a majority of the votes cast upon the proposition
20 are in favor thereof, such tax levy shall be authorized and the
21 governmental unit ~~county~~ shall levy a tax not to exceed the
22 rate set forth in Section 1 of this Act.

23 (Source: P.A. 99-143, eff. 7-27-15.)

24 (55 ILCS 105/1.2)

25 Sec. 1.2. Petition for submission to referendum by

1 electors.

2 (a) Whenever a petition for submission to referendum by the
3 electors which requests the establishment and maintenance of
4 facilities or services for the benefit of its residents with a
5 developmental disability and the levy of an annual tax not to
6 exceed 0.1% upon all the taxable property in the governmental
7 unit ~~county~~ at the value thereof, as equalized or assessed by
8 the Department of Revenue, is signed by electors of the
9 governmental unit ~~county~~ equal in number to at least 10% of the
10 total votes cast for the office that received the greatest
11 total number of votes at the last preceding general ~~county~~
12 election of the governmental unit and is presented to the
13 county clerk, the clerk shall certify the proposition to the
14 proper election authorities for submission at the governmental
15 unit's next general ~~county~~ election. The proposition shall be
16 in substantially the following form:

17 Shall (governmental unit) ~~..... County~~ levy an annual
18 tax not to exceed 0.1% upon the equalized assessed value of
19 all taxable property in (governmental unit) ~~the county~~ for
20 the purposes of establishing and maintaining facilities or
21 services for the benefit of its residents who are persons
22 with intellectual or developmental disabilities and who
23 are not eligible to participate in any program provided
24 under Article 14 of the School Code, 105 ILCS 5/14-1.01 et
25 seq., including contracting for those facilities or
26 services with any privately or publicly operated entity

1 that provides those facilities or services either in or out
2 of (governmental unit)? ~~the county?~~

3 (b) If a majority of the votes cast upon the proposition
4 are in favor thereof, such tax levy shall be authorized and the
5 governmental unit ~~county~~ shall levy a tax not to exceed the
6 rate set forth in Section 1 of this Act.

7 (Source: P.A. 99-143, eff. 7-27-15.)

8 (55 ILCS 105/3) (from Ch. 91 1/2, par. 203)

9 Sec. 3. Community ~~County~~ board for care and treatment of
10 persons with a developmental disability.

11 (a) When any governmental unit ~~county~~ has authority to levy
12 a tax for the purpose of this Act, the presiding officer of the
13 governmental unit's ~~county~~ board with the advice and consent of
14 the governmental unit's ~~county~~ board, shall appoint a board of
15 3 directors who shall administer this Act. The board shall be
16 designated the "(name of governmental unit ~~county~~) ~~County~~ Board
17 for Care and Treatment of Persons with a Developmental
18 Disability". The original appointees shall be appointed for
19 terms expiring, respectively, on June 30 in the first, second
20 and third years following their appointment as designated by
21 the appointing authority. All succeeding terms shall be for 3
22 years and appointments shall be made in like manner. Vacancies
23 shall be filled in like manner for the balance of the unexpired
24 term. Each director shall serve until his successor is
25 appointed. Directors shall serve without compensation but

1 shall be reimbursed for expenses reasonably incurred in the
2 performance of their duties.

3 (b) The governmental unit's ~~county~~ board of any
4 governmental unit ~~county~~ that has established a 3-member board
5 under this Section may, by ordinance or resolution, provide
6 that the governmental unit's ~~county~~ board for care and
7 treatment of persons with a developmental disability in that
8 governmental unit ~~county~~ shall consist of 5 members. Within 60
9 days after the ordinance or resolution is adopted, the
10 presiding officer of the governmental unit ~~county~~, with the
11 advice and consent of the governmental unit's ~~county~~ board,
12 shall appoint the 2 additional members. One member shall serve
13 for a term expiring on June 30 of the second year following his
14 or her appointment, and one shall serve for a term expiring on
15 June 30 of the third year following his or her appointment.
16 Their successors shall serve for 3-year terms.

17 (Source: P.A. 96-295, eff. 8-11-09.)

18 (55 ILCS 105/4) (from Ch. 91 1/2, par. 204)

19 Sec. 4. The directors shall meet in July, annually, and
20 elect one of their number as president and one as secretary,
21 and shall elect such other officers as they deem necessary.
22 They shall adopt such rules for the administration of this Act
23 as may be proper and expedient. They shall report to the court,
24 from time to time, a detailed statement of their
25 administration.

1 The board shall have exclusive control of all money paid
2 into the Fund for Persons with a Developmental Disability and
3 shall draw upon the governmental unit's ~~county~~ treasurer for
4 all or any part of that fund required by the board in the
5 performance of its duties and exercise of its powers under this
6 Act.

7 The board may establish, maintain, and equip facilities
8 within the governmental unit ~~county~~, for the care and treatment
9 of persons with a developmental disability together with such
10 auxiliary facilities connected therewith as the board finds
11 necessary. For those purposes, the board may acquire, to be
12 held in its name, real and personal property within the
13 governmental unit ~~county~~ by gift, grant, legacy, purchase, or
14 lease and may occupy, purchase, lease, or erect an appropriate
15 building or buildings for the use of such facilities and all
16 related facilities and activities.

17 The board may provide for the care and treatment of persons
18 with a developmental disability who are not residents of the
19 governmental unit ~~county~~ and may establish and collect
20 reasonable charges for such services.

21 (Source: P.A. 88-380; 88-388; 89-585, eff. 1-1-97.)

22 (55 ILCS 105/5) (from Ch. 91 1/2, par. 205)

23 Sec. 5. The board of directors may accept any donation of
24 property for the purpose specified in Section 1, and shall pay
25 over to the governmental unit's ~~county~~ treasurer any money so

1 received, within 30 days of the receipt thereof.

2 (Source: Laws 1961, p. 3804.)

3 (55 ILCS 105/7) (from Ch. 91 1/2, par. 207)

4 Sec. 7. The rate at which the sums to be so charged as
5 provided in Section 6 of this Act shall be calculated by the
6 board of directors is the average per capita operating cost for
7 all persons receiving the benefit of such facilities or
8 services computed for each fiscal year; provided, that the
9 board may, in its discretion, set the rate at a lesser amount
10 than such average per capita cost. Less amounts may be accepted
11 by the board when conditions warrant such action or when money
12 is offered by persons not liable under Section 6. Any money
13 received pursuant to this Section shall be paid into the
14 governmental unit's ~~county~~ Fund for Persons with a
15 Developmental Disability.

16 (Source: P.A. 88-380; 88-388.)

17 (55 ILCS 105/11) (from Ch. 91 1/2, par. 211)

18 Sec. 11. Upon request of the board of directors, the
19 State's Attorney of the county in which a person who is liable
20 for payment of maintenance charges resides shall file suit in
21 the circuit court to collect the amount due. The court may
22 order the payment of sums due for maintenance for such period
23 or periods as the circumstances require. Such order may be
24 entered against any or all such defendants and may be based

1 upon the proportionate ability of each defendant to contribute
2 to the payment of sums due. Orders for the payment of money may
3 be enforced by attachment as for contempt against the persons
4 of the defendants, and in addition as other judgments at law,
5 and costs may be adjudged against the defendants and
6 apportioned among them, but if the complaint is dismissed the
7 costs shall be borne by the governmental unit ~~county~~.

8 The provisions of the Civil Practice Law, and all
9 amendments thereto, shall apply to and govern all actions
10 instituted under the provisions of this Act.

11 (Source: P.A. 82-783.)

12 (55 ILCS 105/14 new)

13 Sec. 14. Amendatory changes. The changes made by this
14 amendatory Act of the 100th General Assembly do not: (i)
15 dissolve or discontinue a county community developmental
16 disabilities board established on or before the effective date
17 of this amendatory Act of the 100th General Assembly; (ii)
18 affect any tax levied or fund operated by a county community
19 developmental disabilities board; or (iii) affect in any other
20 way a county community developmental disabilities board
21 operated as it previously had been operating under this Act.

22 Section 98. Illinois Compiled Statutes reassignment. The
23 Legislative Reference Bureau shall reassign the Community Care
24 for Persons with Developmental Disabilities Act (formerly the

1 County Care for Persons with Developmental Disabilities Act) to
2 the location 50 ILCS 835/ in the Illinois Compiled Statutes and
3 file appropriate documents with the Index Division of the
4 Office of the Secretary of State in accordance with subsection
5 (c) of Section 5.04 of the Legislative Reference Bureau Act.".