



Sen. William R. Haine

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1 AMENDMENT TO HOUSE BILL 1679

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1679 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Public Funds Investment Act is amended by  
5 changing Section 2 as follows:

6 (30 ILCS 235/2) (from Ch. 85, par. 902)

7 Sec. 2. Authorized investments.

8 (a) Any public agency may invest any public funds as  
9 follows:

10 (1) in bonds, notes, certificates of indebtedness,  
11 treasury bills or other securities now or hereafter issued,  
12 which are guaranteed by the full faith and credit of the  
13 United States of America as to principal and interest;

14 (2) in bonds, notes, debentures, or other similar  
15 obligations of the United States of America or its  
16 agencies;

17 (3) in interest-bearing savings accounts,  
18 interest-bearing certificates of deposit or  
19 interest-bearing time deposits or any other investments  
20 constituting direct obligations of any bank as defined by  
21 the Illinois Banking Act;

22 (4) in short term obligations of corporations  
23 organized in the United States with assets exceeding  
24 \$500,000,000 if (i) such obligations are rated at the time

1 of purchase at one of the 3 highest classifications  
2 established by at least 2 standard rating services and  
3 which mature not later than 180 days from the date of  
4 purchase, (ii) such purchases do not exceed 10% of the  
5 corporation's outstanding obligations at the time of the  
6 purchase of the obligations and (iii) no more than  
7 one-third of the public agency's funds may be invested in  
8 short term obligations of corporations; or

9 (5) in money market mutual funds registered under the  
10 Investment Company Act of 1940, provided that the portfolio  
11 of any such money market mutual fund is limited to  
12 obligations described in paragraph (1) or (2) of this  
13 subsection or in obligations described in subsection (a-1)  
14 and to agreements to repurchase such obligations.

15 (a-1) In addition to any other investments authorized under  
16 this Act, a municipality may invest its public funds in  
17 interest bearing bonds of any county, township, city, village,  
18 incorporated town, municipal corporation, or school district,  
19 of the State of Illinois, of any other state, or of any  
20 political subdivision or agency of the State of Illinois or of  
21 any other state, whether the interest earned thereon is taxable  
22 or tax-exempt under federal law. The bonds shall be registered  
23 in the name of the municipality or held under a custodial  
24 agreement at a bank. The bonds shall be rated at the time of  
25 purchase within the 4 highest general classifications  
26 established by a rating service of nationally recognized  
27 expertise in rating bonds of states and their political  
28 subdivisions.

29 (b) Investments may be made only in banks which are insured  
30 by the Federal Deposit Insurance Corporation. Any public agency  
31 may invest any public funds in ~~short term discount~~ obligations  
32 of the Federal National Mortgage Association or in shares or  
33 other forms of securities legally issuable by savings banks or  
34 savings and loan associations incorporated under the laws of

1 this State or any other state or under the laws of the United  
2 States. Investments may be made only in those savings banks or  
3 savings and loan associations the shares, or investment  
4 certificates of which are insured by the Federal Deposit  
5 Insurance Corporation. Any such securities may be purchased at  
6 the offering or market price thereof at the time of such  
7 purchase. All such securities so purchased shall mature or be  
8 redeemable on a date or dates prior to the time when, in the  
9 judgment of such governing authority, the public funds so  
10 invested will be required for expenditure by such public agency  
11 or its governing authority. The expressed judgment of any such  
12 governing authority as to the time when any public funds will  
13 be required for expenditure or be redeemable is final and  
14 conclusive. Any public agency may invest any public funds in  
15 dividend-bearing share accounts, share certificate accounts or  
16 class of share accounts of a credit union chartered under the  
17 laws of this State or the laws of the United States; provided,  
18 however, the principal office of any such credit union must be  
19 located within the State of Illinois. Investments may be made  
20 only in those credit unions the accounts of which are insured  
21 by applicable law.

22 (c) For purposes of this Section, the term "agencies of the  
23 United States of America" includes: (i) the federal land banks,  
24 federal intermediate credit banks, banks for cooperative,  
25 federal farm credit banks, or any other entity authorized to  
26 issue debt obligations under the Farm Credit Act of 1971 (12  
27 U.S.C. 2001 et seq.) and Acts amendatory thereto; (ii) the  
28 federal home loan banks and the federal home loan mortgage  
29 corporation; and (iii) any other agency created by Act of  
30 Congress.

31 (d) Except for pecuniary interests permitted under  
32 subsection (f) of Section 3-14-4 of the Illinois Municipal Code  
33 or under Section 3.2 of the Public Officer Prohibited Practices  
34 Act, no person acting as treasurer or financial officer or who

1 is employed in any similar capacity by or for a public agency  
2 may do any of the following:

3 (1) have any interest, directly or indirectly, in any  
4 investments in which the agency is authorized to invest.

5 (2) have any interest, directly or indirectly, in the  
6 sellers, sponsors, or managers of those investments.

7 (3) receive, in any manner, compensation of any kind  
8 from any investments in which the agency is authorized to  
9 invest.

10 (e) Any public agency may also invest any public funds in a  
11 Public Treasurers' Investment Pool created under Section 17 of  
12 the State Treasurer Act. Any public agency may also invest any  
13 public funds in a fund managed, operated, and administered by a  
14 bank, subsidiary of a bank, or subsidiary of a bank holding  
15 company or use the services of such an entity to hold and  
16 invest or advise regarding the investment of any public funds.

17 (f) To the extent a public agency has custody of funds not  
18 owned by it or another public agency and does not otherwise  
19 have authority to invest such funds, the public agency may  
20 invest such funds as if they were its own. Such funds must be  
21 released to the appropriate person at the earliest reasonable  
22 time, but in no case exceeding 31 days, after the private  
23 person becomes entitled to the receipt of them. All earnings  
24 accruing on any investments or deposits made pursuant to the  
25 provisions of this Act shall be credited to the public agency  
26 by or for which such investments or deposits were made, except  
27 as provided otherwise in Section 4.1 of the State Finance Act  
28 or the Local Governmental Tax Collection Act, and except where  
29 by specific statutory provisions such earnings are directed to  
30 be credited to and paid to a particular fund.

31 (g) A public agency may purchase or invest in repurchase  
32 agreements of government securities having the meaning set out  
33 in the Government Securities Act of 1986 subject to the  
34 provisions of said Act and the regulations issued thereunder.

1 The government securities, unless registered or inscribed in  
2 the name of the public agency, shall be purchased through banks  
3 or trust companies authorized to do business in the State of  
4 Illinois.

5 (h) Except for repurchase agreements of government  
6 securities which are subject to the Government Securities Act  
7 of 1986, no public agency may purchase or invest in instruments  
8 which constitute repurchase agreements, and no financial  
9 institution may enter into such an agreement with or on behalf  
10 of any public agency unless the instrument and the transaction  
11 meet the following requirements:

12 (1) The securities, unless registered or inscribed in  
13 the name of the public agency, are purchased through banks  
14 or trust companies authorized to do business in the State  
15 of Illinois.

16 (2) An authorized public officer after ascertaining  
17 which firm will give the most favorable rate of interest,  
18 directs the custodial bank to "purchase" specified  
19 securities from a designated institution. The "custodial  
20 bank" is the bank or trust company, or agency of  
21 government, which acts for the public agency in connection  
22 with repurchase agreements involving the investment of  
23 funds by the public agency. The State Treasurer may act as  
24 custodial bank for public agencies executing repurchase  
25 agreements. To the extent the Treasurer acts in this  
26 capacity, he is hereby authorized to pass through to such  
27 public agencies any charges assessed by the Federal Reserve  
28 Bank.

29 (3) A custodial bank must be a member bank of the  
30 Federal Reserve System or maintain accounts with member  
31 banks. All transfers of book-entry securities must be  
32 accomplished on a Reserve Bank's computer records through a  
33 member bank of the Federal Reserve System. These securities  
34 must be credited to the public agency on the records of the

1           custodial bank and the transaction must be confirmed in  
2           writing to the public agency by the custodial bank.

3           (4) Trading partners shall be limited to banks or trust  
4           companies authorized to do business in the State of  
5           Illinois or to registered primary reporting dealers.

6           (5) The security interest must be perfected.

7           (6) The public agency enters into a written master  
8           repurchase agreement which outlines the basic  
9           responsibilities and liabilities of both buyer and seller.

10          (7) Agreements shall be for periods of 330 days or  
11          less.

12          (8) The authorized public officer of the public agency  
13          informs the custodial bank in writing of the maturity  
14          details of the repurchase agreement.

15          (9) The custodial bank must take delivery of and  
16          maintain the securities in its custody for the account of  
17          the public agency and confirm the transaction in writing to  
18          the public agency. The Custodial Undertaking shall provide  
19          that the custodian takes possession of the securities  
20          exclusively for the public agency; that the securities are  
21          free of any claims against the trading partner; and any  
22          claims by the custodian are subordinate to the public  
23          agency's claims to rights to those securities.

24          (10) The obligations purchased by a public agency may  
25          only be sold or presented for redemption or payment by the  
26          fiscal agent bank or trust company holding the obligations  
27          upon the written instruction of the public agency or  
28          officer authorized to make such investments.

29          (11) The custodial bank shall be liable to the public  
30          agency for any monetary loss suffered by the public agency  
31          due to the failure of the custodial bank to take and  
32          maintain possession of such securities.

33          (i) Notwithstanding the foregoing restrictions on  
34          investment in instruments constituting repurchase agreements

1 the Illinois Housing Development Authority may invest in, and  
2 any financial institution with capital of at least \$250,000,000  
3 may act as custodian for, instruments that constitute  
4 repurchase agreements, provided that the Illinois Housing  
5 Development Authority, in making each such investment,  
6 complies with the safety and soundness guidelines for engaging  
7 in repurchase transactions applicable to federally insured  
8 banks, savings banks, savings and loan associations or other  
9 depository institutions as set forth in the Federal Financial  
10 Institutions Examination Council Policy Statement Regarding  
11 Repurchase Agreements and any regulations issued, or which may  
12 be issued by the supervisory federal authority pertaining  
13 thereto and any amendments thereto; provided further that the  
14 securities shall be either (i) direct general obligations of,  
15 or obligations the payment of the principal of and/or interest  
16 on which are unconditionally guaranteed by, the United States  
17 of America or (ii) any obligations of any agency, corporation  
18 or subsidiary thereof controlled or supervised by and acting as  
19 an instrumentality of the United States Government pursuant to  
20 authority granted by the Congress of the United States and  
21 provided further that the security interest must be perfected  
22 by either the Illinois Housing Development Authority, its  
23 custodian or its agent receiving possession of the securities  
24 either physically or transferred through a nationally  
25 recognized book entry system.

26 (j) In addition to all other investments authorized under  
27 this Section, a community college district may invest public  
28 funds in any mutual funds that invest primarily in corporate  
29 investment grade or global government short term bonds.  
30 Purchases of mutual funds that invest primarily in global  
31 government short term bonds shall be limited to funds with  
32 assets of at least \$100 million and that are rated at the time  
33 of purchase as one of the 10 highest classifications  
34 established by a recognized rating service. The investments

1 shall be subject to approval by the local community college  
2 board of trustees. Each community college board of trustees  
3 shall develop a policy regarding the percentage of the  
4 college's investment portfolio that can be invested in such  
5 funds.

6 Nothing in this Section shall be construed to authorize an  
7 intergovernmental risk management entity to accept the deposit  
8 of public funds except for risk management purposes.

9 (Source: P.A. 93-360, eff. 7-24-03.)

10 Section 10. The Local Government Debt Reform Act is amended  
11 by changing Sections 3, 9, 11, 16.5, 17, and 17.5 as follows:

12 (30 ILCS 350/3) (from Ch. 17, par. 6903)

13 Sec. 3. Definitions. In this Act words or terms shall have  
14 the following meanings unless the context or usage clearly  
15 indicates that another meaning is intended.

16 (a) "Alternate bonds" means bonds issued in lieu of revenue  
17 bonds or payable from a revenue source as provided in Section  
18 15.

19 (b) "Applicable law" means any provision of law, including  
20 this Act, authorizing governmental units to issue bonds or  
21 relating to any procedure, including any notice, hearing,  
22 meeting, referendum, or backdoor referendum, to be taken in the  
23 course of actions to issue bonds.

24 (c) "Backdoor referendum" means the submission of a public  
25 question to the voters of a governmental unit, initiated by a  
26 petition of voters, residents or property owners of such  
27 governmental unit, to determine whether an action by the  
28 governing body of such governmental unit shall be effective,  
29 adopted or rejected.

30 (d) "Bond" means any instrument evidencing the obligation  
31 to pay money authorized or issued by or on behalf of a  
32 governmental unit under applicable law, including without

1 limitation, bonds, notes, installment or financing contracts,  
2 leases, certificates, tax anticipation warrants or notes,  
3 vouchers, and any other evidences of indebtedness.

4 (e) "Debt service" on bonds means the amount of principal,  
5 interest and premium, if any, when due either at stated  
6 maturity or upon mandatory redemption.

7 (f) "Enterprise revenues" means the revenues of a utility  
8 or revenue producing enterprise from which revenue bonds may be  
9 payable.

10 (g) "General obligation bonds" means bonds of a  
11 governmental unit for the payment of which the governmental  
12 unit is empowered to levy ad valorem property taxes upon all  
13 taxable property in a governmental unit without limitation as  
14 to rate or amount.

15 (h) "Governing body" means the legislative body, council,  
16 board, commission, trustees, or any other body, by whatever  
17 name it is known, having charge of the corporate affairs of a  
18 governmental unit.

19 (h-5) "Governmental revenue source" means a revenue source  
20 that is either (1) federal or State funds that the governmental  
21 unit has received in some amount during each of the 3 fiscal  
22 years preceding the issuance of alternate bonds or (2) revenues  
23 to be received from another governmental unit under an  
24 intergovernmental cooperation agreement.

25 (i) "Governmental unit" means a county, township,  
26 municipality, municipal corporation, unit of local government,  
27 school district, special district, public corporation, body  
28 corporate and politic, forest preserve district, fire  
29 protection district, conservation district, park district,  
30 sanitary district, public corporations, as defined in the Bond  
31 Authorization Act, and all other local governmental agencies,  
32 including any entity created by intergovernmental agreement  
33 among any of the foregoing governmental units, but does not  
34 include any office, officer, department or ~~division, bureau,~~

1 ~~board, commission, university, or similar agency~~ of the State.

2 (j) "Ordinance" means an ordinance duly adopted by a  
3 governing body or, if appropriate under applicable law, a  
4 resolution so adopted.

5 (k) "Revenue bonds" means any bonds of a governmental unit  
6 other than general obligation bonds, but "revenue bonds" does  
7 include any debt authorized under Section 11-29.3-1 of the  
8 Illinois Municipal Code.

9 (l) "Revenue source" means a source of funds, other than  
10 enterprise revenues, received or available to be received by a  
11 governmental unit and available for any one or more of its  
12 corporate purposes.

13 (m) "Limited bonds" means bonds, excluding leases, notes,  
14 installment or financing contracts, certificates, tax  
15 anticipation warrants or notes, vouchers, and any other  
16 evidences of indebtedness, issued under Section 15.01 of this  
17 Act.

18 (Source: P.A. 92-879, eff. 1-13-03.)

19 (30 ILCS 350/9) (from Ch. 17, par. 6909)

20 Sec. 9. Provisions for interest.

21 (a) The proceeds of bonds may be used to provide for the  
22 payment of interest upon such bonds for a period not to exceed  
23 the greater of 3 ~~2~~ years or a period ending 6 months after the  
24 estimated date of completion of the acquisition and  
25 construction of the project or accomplishment of the purpose  
26 for which such bonds are issued.

27 (b) In addition it shall be lawful for the governing body  
28 of any governmental unit issuing bonds to appropriate money for  
29 the purpose of paying interest on such bonds during the period  
30 stated in subsection (a) of this Section. Such appropriation  
31 may be made in the ordinance authorizing such bonds and shall  
32 be fully effective upon the effective date of such ordinance  
33 without any further notice, publication or approval

1 whatsoever.

2 (c) The governing body of any governmental unit may  
3 authorize the transfer of interest earned on any of the moneys  
4 of the governmental unit, including moneys set aside to pay  
5 debt service, into the fund of the governmental unit that is  
6 most in need of the interest. This subsection does not apply to  
7 any interest earned that has been earmarked or restricted by  
8 the governing body for a designated purpose. This subsection  
9 does not apply to any interest earned on any funds for the  
10 purpose of municipal retirement under the Illinois Pension Code  
11 and tort immunity under the Local Governmental and Governmental  
12 Employees Tort Immunity Act. Interest earned on those funds may  
13 be used only for the purposes authorized for the respective  
14 funds from which the interest earnings were derived.

15 (Source: P.A. 92-879, eff. 1-13-03.)

16 (30 ILCS 350/11) (from Ch. 17, par. 6911)

17 Sec. 11. Refundings and redemption premiums. Bonds may be  
18 refunded or advance refunded upon such terms as the governing  
19 body may set in accordance with this Act, for such term of  
20 years, not in excess of the maximum term of years permitted by  
21 applicable law for the bonds to be refunded, and in such  
22 principal amount, all as may be deemed necessary by the  
23 governing body. A refunding bond issue may authorize the use of  
24 proceeds of such issue to pay interest on the refunding bond  
25 issue during the period of time from delivery of such issue to  
26 the redemption date of the bonds being refunded. Revenue bonds  
27 may be issued to refund general obligation bonds or alternate  
28 bonds issued under this Act. General obligation bonds shall not  
29 be issued to refund revenue bonds or alternate bonds except as  
30 expressly permitted by applicable law. Any redemption premium  
31 payable upon the redemption of bonds may be payable from the  
32 proceeds of refunding bonds which may be issued for the purpose  
33 of refunding such bonds, from any other lawfully available

1 source or from both proceeds and such other sources. Bonds that  
2 have been wholly refunded or provided for with qualifying  
3 securities shall not be included as debt for the purposes of  
4 any calculation or limitation under applicable law.  
5 "Qualifying securities" means securities or investments that  
6 are lawful for a governmental unit under State law and that  
7 have, at the time of purchase, a rating in the highest general  
8 classification established by a rating service of nationally  
9 recognized expertise in rating securities. "Wholly refunded"  
10 or "provided for" means that the interest on and principal of  
11 the qualifying securities, when due, which are set aside to pay  
12 debt service on the bonds, shall be sufficiently timely to pay  
13 the debt service on such bonds.

14 (Source: P.A. 90-306, eff. 8-1-97.)

15 (30 ILCS 350/16.5)

16 Sec. 16.5. Proposition for bonds. For all elections held  
17 after July 1, 2000, the form of a proposition to authorize the  
18 issuance of bonds pursuant to either a referendum or backdoor  
19 referendum may be as set forth in this Section as an  
20 alternative to the form of proposition as otherwise set forth  
21 by applicable law. The proposition authorized by this Section  
22 shall be in substantially the following form:

23 Shall (name of governmental unit) (state purpose for  
24 the bond issue) and issue its bonds to the amount of \$  
25 (state amount) for the purpose of paying the costs thereof?

26 If a school district expects to receive a school  
27 construction grant from the State of Illinois pursuant to the  
28 School Construction Law for a school construction project to be  
29 financed in part with proceeds of a bond authorized by  
30 referendum, then the form of proposition may at the option of  
31 the school district additionally contain substantially the  
32 following language:

33 (Name of school district) expects to receive a school

1 construction grant from the State of Illinois in the amount  
2 of \$ (state amount) pursuant to the School Construction Law  
3 for the school construction project to be financed in part  
4 with proceeds of the bonds, based on (i) a grant  
5 entitlement from the State Board of Education and (ii)  
6 current recognized project costs determined by the Capital  
7 Development Board.

8 No action may be brought by any person in any Court or  
9 other tribunal seeking in any way to challenge or contest the  
10 validity of an election outcome based upon the wording set  
11 forth in any election notice or the ballot after a period of 30  
12 days after the canvass of such election.

13 (Source: P.A. 91-868, eff. 6-22-00; 92-879, eff. 1-13-03.)

14 (30 ILCS 350/17) (from Ch. 17, par. 6917)

15 Sec. 17. Leases and installment contracts.

16 (a) Interest not debt; debt on leases and installment  
17 contracts. Interest on bonds shall not be included in any  
18 computation of indebtedness of a governmental unit for the  
19 purpose of any statutory provision or limitation. For bonds  
20 consisting of leases and installment or financing contracts,  
21 (1) that portion of payments made by a governmental unit under  
22 the terms of a bond designated as interest in the bond or the  
23 ordinance authorizing such bond shall be treated as interest  
24 for purposes of this Section (2) where portions of payments due  
25 under the terms of a bond have not been designated as interest  
26 in the bond or the ordinance authorizing such bond, and all or  
27 a portion of such payments is to be used for the payment of  
28 principal of and interest on other bonds of the governmental  
29 unit or bonds issued by another unit of local government, such  
30 as a public building commission, the payments equal to interest  
31 due on such corresponding bonds shall be treated as interest  
32 for purposes of this Section and (3) where portions of payments  
33 due under the terms of a bond have not been designated as

1 interest in the bond or ordinance authorizing such bond and no  
2 portion of any such payment is to be used for the payment of  
3 principal of and interest on other bonds of the governmental  
4 unit or another unit of local government, a portion of each  
5 payment due under the terms of such bond shall be treated as  
6 interest for purposes of this Section; such portion shall be  
7 equal in amount to the interest that would have been paid on a  
8 notional obligation of the governmental unit (bearing interest  
9 at the highest rate permitted by law for bonds of the  
10 governmental unit at the time the bond was issued or, if no  
11 such limit existed, 12%) on which the payments of principal and  
12 interest were due at the same times and in the same amounts as  
13 payments are due under the terms of the bonds. The rule set  
14 forth in this Section shall be applicable to all interest no  
15 matter when earned or accrued or at what interval paid, and  
16 whether or not a bond bears interest which compounds at certain  
17 intervals. For purposes of bonds sold at amounts less than 95%  
18 of their stated value at maturity, interest for purposes of  
19 this Section includes the difference between the amount set  
20 forth on the face of the bond as the original principal amount  
21 and the bond's stated value at maturity.

22 This subsection may be made applicable to bonds issued  
23 prior to the effective date of this Act by passage of an  
24 ordinance to such effect by the governing body of a  
25 governmental unit.

26 (b) Purchase or lease of property. The governing body of  
27 each governmental unit may purchase or lease either real or  
28 personal property, including investments, investment  
29 agreements, or investment services, through agreements that  
30 provide that the consideration for the purchase or lease may be  
31 paid through installments made at stated intervals for a period  
32 of no more than 20 years or another period of time authorized  
33 by law, whichever is greater; provided, however, that  
34 investments, investment agreements, or investment services

1 purchased in connection with a bond issue may be paid through  
2 installments made at stated intervals for a period of time not  
3 in excess of the maximum term of such bond issue. Each  
4 governmental unit may issue certificates evidencing the  
5 indebtedness incurred under the lease or agreement. The  
6 governing body may provide for the treasurer, comptroller,  
7 finance officer, or other officer of the governing body charged  
8 with financial administration to act as counter-party to any  
9 such lease or agreement, as nominee lessor or seller. When the  
10 lease or agreement is executed by the officer of the  
11 governmental unit authorized by the governing body to bind the  
12 governmental unit thereon by the execution thereof and is filed  
13 with and executed by the nominee lessor or seller, the lease or  
14 agreement shall be sufficiently executed so as to permit the  
15 governmental unit to issue certificates evidencing the  
16 indebtedness incurred under the lease or agreement. The  
17 certificates shall be valid whether or not an appropriation  
18 with respect thereto is included in any annual or supplemental  
19 budget adopted by the governmental unit. From time to time, as  
20 the governing body executes contracts for the purpose of  
21 acquiring and constructing the services or real or personal  
22 property that is a part of the subject of the lease or  
23 agreement, including financial, legal, architectural, and  
24 engineering services related to the lease or agreement, the  
25 governing body shall order the contracts filed with its nominee  
26 officer, and that officer shall identify the contracts to the  
27 lease or agreement; that identification shall permit the  
28 payment of the contract from the proceeds of the certificates;  
29 and the nominee officer shall duly apply or cause to be applied  
30 proceeds of the certificates to the payment of the contracts.  
31 Certificates evidencing the indebtedness incurred under any  
32 such lease or agreement may be refunded under Section 11 of  
33 this Act, which certificates may be designated "refunding debt  
34 certificates" and need not evidence participation in the

1 original lease or agreement, may be issued on any terms set  
2 forth in Section 10 of this Act, and shall be payable from the  
3 same sources of funds as the certificates refunded. The  
4 governing body of each governmental unit may sell, lease,  
5 convey, and reacquire either real or personal property, or any  
6 interest in real or personal property, upon any terms and  
7 conditions and in any manner, as the governing body shall  
8 determine, if the governmental unit will lease, acquire by  
9 purchase agreement, or otherwise reacquire the property, as  
10 authorized by this subsection or any other applicable law.

11 All indebtedness incurred under this subsection, when  
12 aggregated with the existing indebtedness of the governmental  
13 unit, may not exceed the debt limits provided by applicable  
14 law.

15 (Source: P.A. 91-493, eff. 8-13-99; 91-868, eff. 6-22-00;  
16 92-879, eff. 1-13-03.)

17 (30 ILCS 350/17.5)

18 Sec. 17.5. Bond authorization by referendum. Whenever  
19 applicable law provides that the authorization of or the  
20 issuance of bonds is subject to either a referendum or backdoor  
21 referendum, the approval, once obtained, remains ~~(i)~~ for 5  
22 years after the date of the referendum or ~~(ii) for 3 years~~  
23 after the end of the petition period for a backdoor referendum.  
24 This Section applies only to a referendum or a backdoor  
25 referendum held after August 13, 1999 ~~the effective date of~~  
26 ~~this amendatory Act of the 91st General Assembly.~~

27 (Source: P.A. 91-493, eff. 8-13-99.)

28 Section 15. The Kaskaskia Regional Port District Act is  
29 amended by changing Section 20.2 as follows:

30 (70 ILCS 1830/20.2)

31 Sec. 20.2. Authorization to borrow moneys. The District's

1 Board may borrow money from any bank or other financial  
2 institution~~7~~ and may provide appropriate security for that  
3 borrowing, if the money is repaid within 3 years ~~one year~~ after  
4 the money is borrowed. "Financial institution" means any bank  
5 subject to the Illinois Banking Act, any savings and loan  
6 association subject to the Illinois Savings and Loan Act of  
7 1985, any savings bank subject to the Savings Bank Act, and any  
8 federally chartered commercial bank or savings and loan  
9 association organized and operated in this State pursuant to  
10 the laws of the United States.

11 (Source: P.A. 92-389, eff. 1-1-02.)

12 Section 20. The Tri-City Regional Port District Act is  
13 amended by adding Section 7.5 as follows:

14 (70 ILCS 1860/7.5 new)

15 Sec. 7.5. Authorization to borrow moneys. The District's  
16 Board may borrow money from any bank or other financial  
17 institution and may provide appropriate security for that  
18 borrowing, if the money is repaid within 3 years after the  
19 money is borrowed. "Financial institution" means any bank  
20 subject to the Illinois Banking Act, any savings and loan  
21 association subject to the Illinois Savings and Loan Act of  
22 1985, any savings bank subject to the Savings Bank Act, and any  
23 federally chartered commercial bank or savings and loan  
24 association organized and operated in this State pursuant to  
25 the laws of the United States.

26 Section 99. Effective date. This Act takes effect upon  
27 becoming law."