

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Municipal Code is amended by adding
5 Section 11-150-2 as follows:

6 (65 ILCS 5/11-150-2 new)

7 Sec. 11-150-2. Billing for services. On or after the
8 effective date of this amendatory Act of the 99th General
9 Assembly, the corporate authorities of any municipality
10 operating a waterworks or combined waterworks and sewerage
11 system:

12 (a) shall bill for any utility service, including
13 previously unbilled service, supplied to a residential
14 customer or non-residential customer within 24 months after the
15 provision of that service to the customer; and

16 (b) shall not intentionally delay billing beyond the normal
17 bill cycle.

18 The time limit of subsection (a) shall not apply to
19 previously unbilled service attributed to tampering, theft of
20 service, fraud, or any other intentional or unintentional act
21 not caused by the utility preventing the utility's recorded
22 efforts to obtain an accurate reading of the meter.

1 Section 10. The Public Water District Act is amended by
2 adding Section 7.4 as follows:

3 (70 ILCS 3705/7.4 new)

4 Sec. 7.4. Billing for services. On or after the effective
5 date of this amendatory Act of the 99th General Assembly, a
6 public water district:

7 (a) shall bill for any utility service, including
8 previously unbilled service, supplied to a residential
9 customer or non-residential customer within 24 months after the
10 provision of that service to the customer; and

11 (b) shall not intentionally delay billing beyond the normal
12 bill cycle.

13 The time limit of subsection (a) shall not apply to
14 previously unbilled service attributed to tampering, theft of
15 service, fraud, or any other intentional or unintentional act
16 not caused by the utility preventing the utility's recorded
17 efforts to obtain an accurate reading of the meter.

18 Section 15. The Water Service District Act is amended by
19 adding Section 5.3 as follows:

20 (70 ILCS 3710/5.3 new)

21 Sec. 5.3. Billing for services. On or after the effective
22 date of this amendatory Act of the 99th General Assembly, a
23 water service district:

1 (a) shall bill for any utility service, including
2 previously unbilled service, supplied to a residential
3 customer or non-residential customer within 24 months after the
4 provision of that service to the customer; and

5 (b) shall not intentionally delay billing beyond the normal
6 bill cycle.

7 The time limit of subsection (a) shall not apply to
8 previously unbilled service attributed to tampering, theft of
9 service, fraud, or any other intentional or unintentional act
10 not caused by the utility preventing the utility's recorded
11 efforts to obtain an accurate reading of the meter.

12 Section 20. The Water Authorities Act is amended by
13 changing Section 6 as follows:

14 (70 ILCS 3715/6) (from Ch. 111 2/3, par. 228)

15 Sec. 6. Such board of trustees shall have the following
16 powers:

17 1. To make inspections of wells or other withdrawal
18 facilities and to require information and data from the owners
19 or operators thereof concerning the supply, withdrawal and use
20 of water.

21 2. To require the registration with them of all wells or
22 other withdrawal facilities in accordance with such form or
23 forms as they deem advisable.

24 3. To require permits from them for all additional wells or

1 withdrawal facilities or for the deepening, extending or
2 enlarging existing wells or withdrawal facilities.

3 4. To require the plugging of abandoned wells or the repair
4 of any well or withdrawal facility to prevent loss of water or
5 contamination of supply.

6 5. To reasonably regulate the use of water and during any
7 period of actual or threatened shortage to establish limits
8 upon or priorities as to the use of water. In issuing any such
9 regulation, limitation, or priority, such board shall seek to
10 promote the common welfare by considering the public interest,
11 the average amount of present withdrawals, relative benefits or
12 importance of use, economy or efficiency of use and any other
13 reasonable differentiation. Appropriate consideration shall
14 also be given to any user, who has theretofore reduced the
15 volume of ground water previously consumed by such user or who
16 has taken care of increased requirements by installing and
17 using equipment and facilities permitting the use of surface
18 water by such user.

19 6. To supplement the existing water supply or provide
20 additional water supply by such means as may be practicable or
21 feasible. They may acquire property or property rights either
22 within or without the boundaries of the authority by purchase,
23 lease, condemnation proceedings or otherwise, and they may
24 construct, maintain and operate wells, reservoirs, pumping
25 stations, purification plants, infiltration pits, recharging
26 wells and such other facilities as may be necessary to insure

1 an adequate supply of water for the present and future needs of
2 the authority. They shall have the right to sell water to
3 municipalities or public utilities operating water
4 distribution systems either within or without the authority.

5 7. To levy and collect a general tax on all of the taxable
6 property within the corporate limits of the authority, the
7 aggregate amount of which for one year, exclusive of the amount
8 levied for bonded indebtedness or interest thereon, shall not
9 exceed .08 per cent of the value as equalized or assessed by
10 the Department of Revenue. For the purpose of acquiring
11 necessary property or facilities, to issue general obligation
12 bonds bearing interest at the rate of not to exceed the maximum
13 rate authorized by the Bond Authorization Act, as amended at
14 the time of the making of the contract, and payable over a
15 period of not to exceed 20 years, the aggregate principal
16 amount of which at any one time outstanding shall not exceed
17 one-half of 1% of the value as equalized or assessed by the
18 Department of Revenue of all taxable property located within
19 the corporate limits of the authority and to levy and collect a
20 further or additional direct annual tax upon all the taxable
21 property within the corporate limits of such authority
22 sufficient to meet the principal and interest of such bonds as
23 the same mature. They shall also have authority to issue
24 revenue bonds payable solely out of anticipated revenues.

25 8. To consult with and receive available information
26 concerning their duties and responsibilities from the State

1 Water Survey, the State Geological Survey, the Board of Natural
2 Resources and Conservation, the Water Resources and Flood
3 Control Board and any other board or commission of the State.
4 Before constructing any facility for providing additional
5 water supply, the plans therefor shall be submitted to and
6 approved by the Environmental Protection Agency or its
7 successor and all operations of such facilities shall be
8 conducted in accordance with such rules and regulations as may
9 from time to time be prescribed by the Pollution Control Board.

10 9. To have the right by appropriate action in the circuit
11 court of any county in which such authority, or any part
12 thereof, is located to restrain any violation or threatened
13 violation of any of their orders, rules, regulations or
14 ordinances.

15 10. To provide by ordinance that the violation of any
16 provision of any rule, regulation or ordinance adopted by them
17 shall constitute a misdemeanor subject to a fine by the circuit
18 court of not to exceed \$50 for each act of violation and that
19 each day's violation shall constitute a separate offense.

20 11. On or after the effective date of this amendatory Act
21 of the 99th General Assembly, to bill for any utility service,
22 including previously unbilled service, supplied to a
23 residential customer or non-residential customer within 24
24 months after the provision of that service to the customer. The
25 time limit of this paragraph shall not apply to previously
26 unbilled service attributed to tampering, theft of service,

1 fraud, or any other intentional or unintentional act not caused
2 by the utility preventing the utility's recorded efforts to
3 obtain an accurate reading of the meter. The trustees shall not
4 intentionally delay billing beyond the normal bill cycle.

5 With respect to instruments for the payment of money issued
6 under this Section either before, on, or after the effective
7 date of this amendatory Act of 1989, it is and always has been
8 the intention of the General Assembly (i) that the Omnibus Bond
9 Acts are and always have been supplementary grants of power to
10 issue instruments in accordance with the Omnibus Bond Acts,
11 regardless of any provision of this Act that may appear to be
12 or to have been more restrictive than those Acts, (ii) that the
13 provisions of this Section are not a limitation on the
14 supplementary authority granted by the Omnibus Bond Acts, and
15 (iii) that instruments issued under this Section within the
16 supplementary authority granted by the Omnibus Bond Acts are
17 not invalid because of any provision of this Act that may
18 appear to be or to have been more restrictive than those Acts.

19 (Source: P.A. 86-4.)

20 Section 25. The Water Commission Act of 1985 is amended by
21 changing Section 0.001b as follows:

22 (70 ILCS 3720/0.001b)

23 Sec. 0.001b. Powers and duties. A water commission has the
24 power and duty to:

1 (1) establish and define the responsibilities of the
2 commission and its committees;

3 (2) establish and define the responsibilities of the
4 commission's management and staff;

5 (3) establish a finance committee to conduct monthly
6 meetings to supervise staff's handling of financial
7 matters and budgeting;

8 (4) require the finance director and treasurer to
9 report to the finance committee the status of all
10 commission funds and obligations;

11 (5) require the treasurer to report to the commission
12 any improper or unnecessary expenditures, budgetary
13 errors, or accounting irregularities;

14 (6) require commission staff to document and comply
15 with standard accounting policies, procedures, and
16 controls to ensure accurate reporting to the finance
17 committee and commission and to identify improper or
18 unnecessary expenditures, budgetary errors, or accounting
19 irregularities;

20 (7) require the commission's finance director to
21 provide monthly reports regarding the commission's cash
22 and investment position including whether the commission
23 has sufficient cash and investments to pay its debt
24 service, operating expenses, and capital expenditures and
25 maintain required reserve levels. The information shall
26 include the required funding levels for restricted funds

1 and unrestricted cash and investment balances with
2 comparisons to unrestricted reserves. The information
3 shall also include the type and performance of the
4 commission's investments and description as to whether
5 those investments are in compliance with the commission's
6 investment policies;

7 (8) require the commission's finance director to
8 provide the commission with detailed information
9 concerning the commission's operating performance
10 including the budgeted and actual monthly amounts for water
11 sales, water costs, and other operating expenses;

12 (9) require commission staff to provide the commission
13 with detailed information regarding the progress of
14 capital projects including whether the percentage of
15 completion and costs incurred are timely;

16 (10) require the commission's staff accountant to
17 perform bank reconciliations and general ledger account
18 reconciliations on a monthly basis; the finance director
19 shall review these reconciliations and provide them to the
20 treasurer and the finance committee on a monthly basis;

21 (11) establish policies to ensure the proper
22 segregation of the financial duties performed by
23 employees;

24 (12) restrict access to the established accounting
25 systems and general ledger systems and provide for adequate
26 segregation of duties so that no single person has sole

1 access and control over the accounting system or the
2 general ledger system;

3 (13) require that the finance director review and
4 approve all manual journal entries and supporting
5 documentation; the treasurer shall review and approve the
6 finance director's review and approval of manual journal
7 entries and supporting documentation;

8 (14) require that the finance director closely monitor
9 the progress of construction projects;

10 (15) require that the finance director carefully
11 document any GAAP analysis or communications with GASB and
12 provide full and timely reports for the same to the finance
13 committee; ~~and~~

14 (16) retain an outside independent auditor to perform a
15 comprehensive audit of the water commission's financial
16 activities for each fiscal year in conformance with the
17 standard practices of the Association of Governmental
18 Auditors; within 30 days after the independent audit is
19 completed, the results of the audit must be sent to the
20 county auditor; ~~and~~.

21 (17) on or after the effective date of this amendatory
22 Act of the 99th General Assembly, to bill for any utility
23 service, including previously unbilled service, supplied
24 to a residential customer or non-residential customer
25 within 24 months after the provision of that service to the
26 customer. The time limit of this paragraph shall not apply

1 to previously unbilled service attributed to tampering,
2 theft of service, fraud, or any other intentional or
3 unintentional act not caused by the utility preventing the
4 utility's recorded efforts to obtain an accurate reading of
5 the meter. The commission shall not intentionally delay
6 billing beyond the normal bill cycle.

7 (Source: P.A. 96-1389, eff. 7-29-10.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.