



Sen. Julie A. Morrison

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LRB102 00016 AWJ 22401 a

1 AMENDMENT TO SENATE BILL 102

2 AMENDMENT NO. _____. Amend Senate Bill 102 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by changing
5 Section 5-25010 as follows:

6 (55 ILCS 5/5-25010) (from Ch. 34, par. 5-25010)

7 Sec. 5-25010. Annual tax levy. The county board of any
8 county which has established and is maintaining a county or
9 multiple-county health department shall, when authorized as
10 provided in Sections 5-25003 or 5-25004, levy annually
11 therefor, in excess of the statutory limit, a tax of not to
12 exceed .1% of the value plus the additional tax, if
13 applicable, provided for in Section 5-23002, ~~or plus the~~
14 ~~additional tax, if applicable, provided for in Section 5.3 of~~
15 ~~"An Act to provide for the creation and management of~~
16 ~~tuberculosis sanitarium districts", approved May 21, 1937, as~~

1 ~~now or hereafter amended,~~ as equalized or assessed by the
2 Department of Revenue, of all taxable property of the county,
3 which tax shall be levied and collected in like manner as
4 general county taxes and shall be paid (except as provided in
5 Section 5-25011) into the county treasury and held in the
6 County Health Fund and shall be used only for the purposes of
7 this Division. Where there is a county health department, the
8 County Health Fund shall be drawn upon by the proper officers
9 of the county upon the properly authenticated vouchers of the
10 county health department. Where there is a multiple-county
11 health department, the County Health Fund shall be drawn upon
12 by the treasurer of the board of health of the multiple-county
13 health department. In counties maintaining single county
14 health departments, each county board shall appropriate from
15 the County Health Fund such sums of money as may be sufficient
16 to fund the approved budget of the county health department,
17 so long as those sums have been set out in the annual budget
18 submitted to the county board by the county board of health and
19 that annual budget has been approved by the county board. In
20 counties with a population between 700,000 and 3,000,000, the
21 county board chairman has the power to veto or reduce any line
22 item in the appropriation ordinance for the county or
23 multiple-county health department as provided in Section
24 5-1014.5. Each county board of counties participating in the
25 maintenance of a multiple-county health department shall
26 appropriate from the County Health Fund and shall authorize

1 the county treasurer to release quarterly or more often to the
2 treasurer of the board of health of the multiple-county health
3 department such sums of money as are in accordance with the
4 budget submitted by the multiple-county board of health and
5 approved by the county board of each of the participating
6 counties as may be necessary to pay its agreed share for the
7 maintenance of the multiple-county health department. The
8 treasurer of the board of health of the multiple-county health
9 department shall request by voucher, quarterly or more often
10 such sums of money from the county treasurers of the
11 respective member counties, and shall support such requests
12 with estimates of anticipated receipts and expenditures for
13 the period for which sums of money are requested and with
14 statements of receipts and expenditures for the preceding
15 period. In addition, that treasurer shall support the requests
16 to the annual budget submitted by the multiple-county public
17 health board and approved by the county board of each of the
18 participating counties. No payment may be made from a County
19 Health Fund except on the basis of a budget item in a budget
20 submitted by the appropriate public health board and approved
21 by the county board or boards concerned; however, amended or
22 supplemental budgets may be submitted and approved and thereby
23 be the basis for such a payment.

24 (Source: P.A. 89-402, eff. 8-20-95.)

25 Section 10. The Illinois Municipal Code is amended by

1 changing Sections 8-3-1, 8-4-1, and 8-4-25 as follows:

2 (65 ILCS 5/8-3-1) (from Ch. 24, par. 8-3-1)

3 Sec. 8-3-1. The corporate authorities may levy and collect
4 taxes for corporate purposes. They shall do this in the
5 following manner:

6 On or before the last Tuesday in December in each year, the
7 corporate authorities shall ascertain the total amount of
8 appropriations legally made or budgeted for and any amount
9 deemed necessary to defray additional expenses and liabilities
10 for all corporate purposes to be provided for by the tax levy
11 of that year. Then, by an ordinance specifying in detail in the
12 manner authorized for the annual appropriation ordinance or
13 budget of the municipality, the purposes for which the
14 appropriations, budgeting or such additional amounts deemed
15 necessary have been made and the amount assignable for each
16 purpose respectively, the corporate authorities shall levy
17 upon all property subject to taxation within the municipality
18 as that property is assessed and equalized for state and
19 county purposes for the current year.

20 A certified copy of this ordinance shall be filed with the
21 county clerk of the proper county. He shall ascertain the rate
22 per cent which, upon the value of all property subject to
23 taxation within the municipality, as that property is assessed
24 or equalized by the Department of Revenue, will produce a net
25 amount of not less than the total amount so directed to be

1 levied. The county clerk shall extend this tax in a separate
2 column upon the books of the collector of state and county
3 taxes within the municipality.

4 However, in ascertaining the rate per cent in
5 municipalities having a population of 500,000 or more, the
6 county clerk shall not add to the amount of the tax so levied
7 for any purpose any amount to cover the loss and cost of
8 collecting the tax, except in the case of amounts levied for
9 the payment of bonded indebtedness, or interest thereon, and
10 in the case of amounts levied for the purposes of pension
11 funds.

12 Where the corporate limits of a municipality lie partly in
13 2 or more counties, the corporate authorities shall ascertain
14 the total amount of all taxable property lying within the
15 corporate limits of that municipality in each county, as the
16 property is assessed or equalized by the Department of Revenue
17 for the current year, and shall certify the amount of taxable
18 property in each county within that municipality under the
19 seal of the municipality, to the county clerk of the county
20 where the seat of government of the municipality is situated.
21 That county clerk shall ascertain the rate per cent which,
22 upon the total valuation of all property subject to taxation
23 within that municipality, ascertained as provided in this
24 Section, will produce a net amount not less than the total
25 amount directed to be levied. As soon as that rate per cent is
26 ascertained, that clerk shall certify the rate per cent under

1 his signature and seal of office to the county clerk of each
2 other county wherein a portion of that municipality is
3 situated. A county clerk to whom a rate per cent is certified
4 shall extend the tax in a separate column upon the books of the
5 collector of state and county taxes for his county against all
6 property in his county within the limits of that municipality.

7 But in municipalities with 500,000 or more inhabitants,
8 the aggregate amount of taxes so levied exclusive of the
9 amount levied for the payment of bonded indebtedness, or
10 interest thereon, and exclusive of taxes levied for the
11 payment of judgments, for which a special tax is authorized by
12 law, and exclusive of the amounts levied for the purposes of
13 pension funds, working cash fund, public library, ~~municipal~~
14 ~~tuberculosis sanitarium,~~ the propagation and preservation of
15 community trees, and exclusive of taxes levied pursuant to
16 Section 19 of the Illinois Emergency Services and Disaster
17 Agency Act of 1975 and for the general assistance for needy
18 persons lawfully resident therein, shall not exceed the
19 estimated amount of taxes to be levied for each year for the
20 purposes specified in Sections 8-2-2 through 8-2-5 and set
21 forth in its annual appropriation ordinance and in any
22 supplemental appropriation ordinance authorized by law for
23 that year.

24 In municipalities with less than 500,000 inhabitants, the
25 aggregate amount of taxes so levied for any one year,
26 exclusive of the amount levied for the payment of bonded

1 indebtedness, or interest thereon, and exclusive of taxes
2 levied pursuant to Section 13 of the Illinois Civil Defense
3 Act of 1951 and exclusive of taxes authorized by this Code or
4 other Acts which by their terms provide that those taxes shall
5 be in addition to taxes for general purposes authorized under
6 this Section, shall not exceed the rate of .25%, or the rate
7 limit in effect on July 1, 1967, whichever is greater, and on a
8 permanent basis, upon the aggregate valuation of all property
9 within the municipality subject to taxation therein, as the
10 property is equalized or assessed by the Department of Revenue
11 for the current year. However, if the maximum rate of such
12 municipality for general corporate purposes is less than .20%
13 on July 1, 1967, the corporate authorities may, without
14 referendum, increase such maximum rate not to exceed .25%; but
15 such maximum rate shall not be raised by more than 1/2 of such
16 increase in any one year.

17 However, if the corporate authorities of a municipality
18 with less than 500,000 inhabitants desire to levy in any one
19 year more than .25%, or the rate limit in effect on July 1,
20 1967, whichever is greater, and on a permanent basis, but not
21 more than .4375% for general corporate purposes, exclusive of
22 the amount levied for the payment of bonded indebtedness, or
23 interest thereon, and exclusive of taxes authorized by this
24 Code or other Acts which by their terms provide that those
25 taxes shall be in addition to taxes for general purposes
26 authorized under this Section the corporate authorities, by

1 ordinance, stating the per cent so desired, may order a
2 proposition for the additional amount to be submitted to the
3 electors of that municipality at any election. The clerk shall
4 certify the proposition to the proper election authority who
5 shall submit the question to the electors at such election. If
6 a majority of the votes cast on the proposition are in favor of
7 the proposition, the corporate authorities of that
8 municipality may levy annually for general corporate purposes,
9 exclusive of the amount levied for the payment of bonded
10 indebtedness, or interest thereon, and exclusive of taxes
11 authorized by this Code or other Acts which by their terms
12 provide that those taxes are in addition to taxes for general
13 purposes authorized under this Section a tax in excess of
14 .25%, or the rate in effect on July 1, 1967, whichever is
15 greater, and on a permanent basis, but not exceeding the per
16 cent mentioned in the proposition.

17 Any municipality voting after August 1, 1969, to increase
18 its rate limitation for general corporate purposes under this
19 Section shall establish such increased rate limitation on an
20 ongoing basis unless otherwise changed by referendum.

21 In municipalities that are not home rule units, any funds
22 on hand at the end of the fiscal year, which funds are not
23 pledged for or allocated to a particular purpose, may by
24 action of the corporate authorities be transferred to the
25 capital improvement fund and accumulated therein, but the
26 total amount accumulated in such fund may not exceed 3% of the

1 aggregate assessed valuation of all taxable property in the
2 municipality.

3 (Source: P.A. 87-17.)

4 (65 ILCS 5/8-4-1) (from Ch. 24, par. 8-4-1)

5 Sec. 8-4-1. No bonds shall be issued by the corporate
6 authorities of any municipality until the question of
7 authorizing such bonds has been submitted to the electors of
8 that municipality provided that notice of the bond referendum,
9 if held before July 1, 1999, has been given in accordance with
10 the provisions of Section 12-5 of the Election Code in effect
11 at the time of the bond referendum, at least 10 and not more
12 than 45 days before the date of the election, notwithstanding
13 the time for publication otherwise imposed by Section 12-5,
14 and approved by a majority of the electors voting upon that
15 question. Notices required in connection with the submission
16 of public questions on or after July 1, 1999 shall be as set
17 forth in Section 12-5 of the Election Code. The clerk shall
18 certify the proposition of the corporate authorities to the
19 proper election authority who shall submit the question at an
20 election in accordance with the general election law, subject
21 to the notice provisions set forth in this Section.

22 Notice of any such election shall contain the amount of
23 the bond issue, purpose for which issued, and maximum rate of
24 interest.

25 In addition to all other authority to issue bonds, the

1 Village of Indian Head Park is authorized to issue bonds for
2 the purpose of paying the costs of making roadway improvements
3 in an amount not to exceed the aggregate principal amount of
4 \$2,500,000, provided that 60% of the votes cast at the general
5 primary election held on March 18, 2014 are cast in favor of
6 the issuance of the bonds, and the bonds are issued by December
7 31, 2014.

8 However, without the submission of the question of issuing
9 bonds to the electors, the corporate authorities of any
10 municipality may authorize the issuance of any of the
11 following bonds:

12 (1) Bonds to refund any existing bonded indebtedness;

13 (2) Bonds to fund or refund any existing judgment
14 indebtedness;

15 (3) In any municipality of less than 500,000
16 population, bonds to anticipate the collection of
17 installments of special assessments and special taxes
18 against property owned by the municipality and to
19 anticipate the collection of the amount apportioned to the
20 municipality as public benefits under Article 9;

21 (4) Bonds issued by any municipality under Sections
22 8-4-15 through 8-4-23, 11-23-1 through 11-23-12, 11-26-1
23 ~~11-25-1~~ through 11-26-6, 11-71-1 through 11-71-10,
24 11-74.3-1 through 11-74.3-7, 11-74.4-1 through 11-74.4-11,
25 11-74.5-1 through 11-74.5-15, 11-94-1 through 11-94-7,
26 11-102-1 through 11-102-10, 11-103-11 through 11-103-15,

1 11-118-1 through 11-118-6, 11-119-1 through 11-119-5,
2 11-129-1 through 11-129-7, 11-133-1 through 11-133-4,
3 11-139-1 through 11-139-12, 11-141-1 through 11-141-18 of
4 this Code or 10-801 through 10-808 of the Illinois Highway
5 Code, as amended;

6 (5) Bonds issued by the board of education of any
7 school district under the provisions of Sections 34-30
8 through 34-36 of The School Code, as amended;

9 (6) Bonds issued by any municipality under the
10 provisions of Division 6 of this Article 8; and by any
11 municipality under the provisions of Division 7 of this
12 Article 8; or under the provisions of Sections 11-121-4
13 and 11-121-5;

14 (7) Bonds to pay for the purchase of voting machines
15 by any municipality that has adopted Article 24 of The
16 Election Code, approved May 11, 1943, as amended;

17 (8) Bonds issued by any municipality under Sections 15
18 and 46 of the "Environmental Protection Act", approved
19 June 29, 1970;

20 (9) Bonds issued by the corporate authorities of any
21 municipality under the provisions of Section 8-4-25 of
22 this Article 8;

23 (10) Bonds issued under Section 8-4-26 of this Article
24 8 by any municipality having a board of election
25 commissioners;

26 (11) Bonds issued under the provisions of "An Act to

1 provide the manner of levying or imposing taxes for the
2 provision of special services to areas within the
3 boundaries of home rule units and nonhome rule
4 municipalities and counties", approved September 21, 1973;

5 (12) Bonds issued under Section 8-5-16 of this Code;

6 (13) Bonds to finance the cost of the acquisition,
7 construction or improvement of water or wastewater
8 treatment facilities mandated by an enforceable compliance
9 schedule developed in connection with the federal Clean
10 Water Act or a compliance order issued by the United
11 States Environmental Protection Agency or the Illinois
12 Pollution Control Board; provided that such bonds are
13 authorized by an ordinance adopted by a three-fifths
14 majority of the corporate authorities of the municipality
15 issuing the bonds which ordinance shall specify that the
16 construction or improvement of such facilities is
17 necessary to alleviate an emergency condition in such
18 municipality;

19 (14) Bonds issued by any municipality pursuant to
20 Section 11-113.1-1;

21 (15) Bonds issued under Sections 11-74.6-1 through
22 11-74.6-45, the Industrial Jobs Recovery Law of this Code;

23 (16) Bonds issued under the Innovation Development and
24 Economy Act, except as may be required by Section 35 of
25 that Act.

26 (Source: P.A. 97-333, eff. 8-12-11; 98-654, eff. 6-18-14.)

1 (65 ILCS 5/8-4-25) (from Ch. 24, par. 8-4-25)

2 Sec. 8-4-25. Subject to the requirements of the Bond Issue
3 Notification Act, any municipality is authorized to issue from
4 time to time full faith and credit general obligation notes in
5 an amount not to exceed 85% of the specific taxes levied for
6 the year during which and for which such notes are issued,
7 provided no notes shall be issued in lieu of tax warrants for
8 any tax at any time there are outstanding tax anticipation
9 warrants against the specific taxes levied for the year. Such
10 notes shall bear interest at a rate not to exceed the maximum
11 rate authorized by the Bond Authorization Act, as amended at
12 the time of the making of the contract, if issued before
13 January 1, 1972 and not more than the maximum rate authorized
14 by the Bond Authorization Act, as amended at the time of the
15 making of the contract, if issued after January 1, 1972 and
16 shall mature within two years from date. The first interest
17 payment date on any such notes shall not be earlier than the
18 delinquency date of the first installment of taxes levied to
19 pay interest and principal of such notes. Notes may be issued
20 for taxes levied for the following purposes:

21 (a) Corporate.

22 (b) For the payment of judgments.

23 (c) Public Library for Maintenance and Operation.

24 (d) Public Library for Buildings and Sites.

25 (e) Blank. ~~Municipal Tuberculosis Sanitarium.~~

1 (f) Relief (General Assistance).

2 In order to authorize and issue such notes, the corporate
3 authorities shall adopt an ordinance fixing the amount of the
4 notes, the date thereof, the maturity, rate of interest, place
5 of payment and denomination, which shall be in equal multiples
6 of \$1,000, and provide for the levy and collection of a direct
7 annual tax upon all the taxable property in the municipality
8 sufficient to pay the principal of and interest on such notes
9 as the same becomes due.

10 A certified copy of the ordinance authorizing the issuance
11 of the notes shall be filed in the office of the County Clerk
12 of the county in which the municipality is located, or if the
13 municipality lies partly within two or more counties, a
14 certified copy of the ordinance authorizing such notes shall
15 be filed with the County Clerk of each of the respective
16 counties, and it shall be the duty of the County Clerk, or
17 County Clerks, whichever the case may be, to extend the tax
18 therefor in addition to and in excess of all other taxes
19 heretofore or hereafter authorized to be levied by such
20 municipality.

21 From and after any such notes have been issued and while
22 such notes are outstanding, it shall be the duty of the County
23 Clerk or County Clerks, whichever the case may be, in
24 computing the tax rate for the purpose for which the notes have
25 been issued to reduce the tax rate levied for such purpose by
26 the amount levied to pay the principal of and interest on the

1 notes to maturity, provided the tax rate shall not be reduced
2 beyond the amount necessary to reimburse any money borrowed
3 from the working cash fund, and it shall be the duty of the
4 Clerk of the municipality annually, not less than thirty (30)
5 days prior to the tax extension date, to certify to the County
6 Clerk, or County Clerks, whichever the case may be, the amount
7 of money borrowed from the working cash fund to be reimbursed
8 from the specific tax levy.

9 No reimbursement shall be made to the working cash fund
10 until there has been accumulated from the tax levy provided
11 for the notes an amount sufficient to pay the principal of and
12 interest on such notes as the same become due.

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

1 than those Acts.

2 (Source: P.A. 89-655, eff. 1-1-97.)

3 (65 ILCS 5/Art. 11 Div. 25 rep.)

4 (65 ILCS 5/Art. 11 Div. 29 rep.)

5 Section 15. The Illinois Municipal Code is amended by
6 repealing Divisions 25 and 29 of Article 11.

7 Section 20. The Tuberculosis Sanitarium District Act is
8 amended by changing Section 1 as follows:

9 (70 ILCS 920/1) (from Ch. 23, par. 1701)

10 Sec. 1. Any area of contiguous territory lying wholly
11 within one county ~~but entirely outside the corporate limits of~~
12 ~~any city or village which has adopted Division 29 of Article 11~~
13 ~~of the "Illinois Municipal Code", approved May 29, 1961, as~~
14 ~~amended,~~ may be incorporated as a tuberculosis sanitarium
15 district in the following manner, to wit:

16 Any 100 legal voters residing within the limits of such
17 proposed district may petition the circuit court for the
18 county in which such proposed district lies, to cause the
19 question to be submitted to the legal voters of such proposed
20 district whether or not it shall be organized as a
21 tuberculosis sanitarium district under this Act. Such petition
22 shall be addressed to the court and shall contain a definite
23 description of the territory intended to be embraced in such

1 district, and the name of such district. Upon the filing of
2 such petition in the office of the clerk of the court of the
3 county in which such territory is situated, it shall be the
4 duty of such court to fix a day and hour for the public
5 consideration thereof, which shall not be less than 15 days
6 after the filing of such petition. Such court shall cause a
7 notice of the time and place of such public consideration to be
8 published 3 successive days in some newspaper having a general
9 circulation in the territory proposed to be placed in such
10 district. The date of the last publication of such notice
11 shall not be less than 5 days prior to the time set for such
12 public hearing. At the time and place fixed for such public
13 hearing the court shall sit and hear any resident or person
14 owning property in such proposed district who desires to be
15 heard, and if the court finds that all of the provisions of
16 this Act have been complied with, it shall cause to be entered
17 of record, an order fixing and defining the boundaries and the
18 name of such proposed district in accordance with the prayer
19 of the petition. In the event that any other petition or
20 petitions for the organization of a tuberculosis sanitarium
21 district or districts in the same county shall be filed under
22 this Act before the time fixed for the public hearing of the
23 first petition, the court shall postpone the public
24 consideration of the first petition so that the hearing of all
25 said petitions shall be set for the same day and hour.

26 Should 2 or more petitions be filed under this Act and come

1 on for hearing at the same time and it shall be found by the
2 court that any of the territory embraced in any one of said
3 petitions is included in or contiguous with the territory
4 embraced in any other petition or petitions, the court may
5 include all of the territory described in such petitions in
6 one district and shall fix the name proposed in the petition
7 first filed as the name for said district. After the entry of
8 the order fixing and defining the boundaries and the name of
9 such proposed district, it shall be the duty of the clerk of
10 the circuit court to certify the order and the proposition to
11 the proper election officials, who shall submit the
12 proposition to the voters at an election in accordance with
13 the general election law. In addition to the requirements of
14 the general election law, the notice of the referendum shall
15 contain a definite description of the territory intended to be
16 embraced in such district, and the name of such district.

17 (Source: P.A. 83-343.)

18 (70 ILCS 920/5.3 rep.)

19 Section 25. The Tuberculosis Sanitarium District Act is
20 amended by repealing Section 5.3."