

# SB1840



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB1840

Introduced 2/9/2023, by Sen. Elgie R. Sims, Jr.

#### SYNOPSIS AS INTRODUCED:

70 ILCS 1205/5-9

from Ch. 105, par. 5-9

Amends the Park District Code. Provides that a park district may levy and collect annually a tax for maintaining a police system, for implementing and maintaining public safety and security measures, or both (currently, only for maintaining a police system) within the parks, playgrounds, and other facilities maintained by the district. Defines "public safety and security measures". Makes conforming changes. Effective immediately.

LRB103 05269 AWJ 50287 b

A BILL FOR

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 Park District Code is amended by changing  
5 Section 5-9 as follows:

6 (70 ILCS 1205/5-9) (from Ch. 105, par. 5-9)

7 Sec. 5-9. Any park district may levy and collect annually,  
8 a tax of not to exceed .025 per cent of the value, as equalized  
9 or assessed by the Department of Revenue of all taxable  
10 property in the district for the purpose of organizing and  
11 maintaining a police system, for implementing and maintaining  
12 public safety and security measures, or both within the parks  
13 and playgrounds maintained by the district. The tax shall be  
14 levied and collected in the same manner as the general taxes  
15 for the district. This tax shall be in addition to all other  
16 taxes authorized by law to be levied and collected in the  
17 district and shall not be included within any limitation of  
18 rate contained in this Code or any other law, but shall be  
19 excluded therefrom and be in addition thereto and in excess  
20 thereof.

21 The proceeds of the tax authorized by this Section shall  
22 be paid to the treasurer of the district and kept in a fund to  
23 be known as the police and public safety and security fund.

1 This fund shall be used for the organization and maintaining  
2 of a police system including the hiring of a regular policeman  
3 or police force for the purpose of policing the parks and  
4 playgrounds maintained within the district or for public  
5 safety and security measures.

6 Prior to levy and collection of such tax, the park  
7 districts shall adopt a resolution that it shall levy and  
8 collect such tax, and, within 15 days after adopting the  
9 resolution, it shall be published once in a newspaper  
10 published and having a general circulation in the park  
11 district, or, if there is no such newspaper, then in some  
12 newspaper having a general circulation in the county wherein  
13 such district or the greater or greatest portion in area of  
14 said district lies, or, if there be no such newspaper, copies  
15 of the ordinance shall be posted in at least three public  
16 places in the district. The publication or posting of the  
17 resolution shall include a notice of (1) the specific number  
18 of voters required to sign a petition requesting that the  
19 question of the adoption of the resolution be submitted to the  
20 electors of the district; (2) the time in which the petition  
21 must be filed; and (3) the date of the prospective referendum.

22 The Secretary of the governing board of the park district  
23 shall provide a petition form to any individual requesting  
24 one.

25 If within this 30 day period a petition is filed, signed by  
26 electors of the district numbering 10% or more of the

1 registered voters of the district, asking that the question of  
 2 levying and collecting such tax be submitted to the electors  
 3 of the district, the board shall certify the question to the  
 4 proper election officials, who shall submit that question at  
 5 an election in which all the electors of the district may vote.  
 6 If no such valid petition is filed with the secretary of the  
 7 district within 30 days after the publication or posting of  
 8 the resolution, then the park district shall be authorized to  
 9 levy and collect such tax. Notice of such referendum shall be  
 10 given and such referendum shall be conducted in the manner  
 11 provided by the general election law.

12 The proposition shall be in substantially the following  
 13 form:

14 -----

15 Shall the.... Park District be authorized  
 16 and empowered to levy and collect a tax of YES  
 17 .... per cent for the purpose of police -----  
 18 programs, public safety and security measures, NO  
 19 or both as provided in Section 5-9 of  
 20 the Park District Code?

21 -----

22 If a majority of the voters of such district voting  
 23 thereon vote for the levy and collection of the tax provided  
 24 for, such district shall be authorized and empowered to levy  
 25 and collect such tax annually thereafter for a police system,  
 26 public safety and security measures, or both. If the park

1 district has police officers, the police officers must  
2 complete if the district participates in the training program  
3 established under the Illinois Police Training Act. The  
4 foregoing limitations upon tax rates may be increased or  
5 decreased according to the referendum provisions of the  
6 General Revenue Law of the State of Illinois.

7 If a majority of voters of a park district have approved a  
8 proposition under this Section for "police programs" prior to  
9 the effective date of this amendatory Act of the 103rd General  
10 Assembly, the levy approved may also be used for public safety  
11 and security measures.

12 As used in this Section, "public safety and security  
13 measures" includes, but is not limited to, security personnel,  
14 special-events staff, safety audits, safety drills,  
15 active-shooter training or similar training, and security  
16 improvements or safety-related upgrades to buildings, grounds,  
17 or other facilities, such as security lighting, video cameras,  
18 metal detectors, and emergency call boxes.

19 (Source: P.A. 87-767.)

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.