

1 AN ACT concerning taxes.

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

4 Section 5. The Property Tax Code is amended by changing
5 Sections 27-25, 27-40, 27-45, and 27-75 as follows:

6 (35 ILCS 200/27-25)

7 Sec. 27-25. Form of hearing notice. Taxes may be levied or
8 imposed by the municipality or county in the special service
9 area at a rate or amount of tax sufficient to produce revenues
10 required to provide the special services. Prior to the first
11 levy of taxes in the special service area, notice shall be
12 given and a hearing shall be held under the provisions of
13 Sections 27-30 and 27-35. For purposes of this Section the
14 notice shall include:

15 (a) The time and place of hearing;

16 (b) The boundaries of the area by legal description
17 and, where possible, by street location, ~~where possible;~~

18 (c) The permanent tax index number of each parcel
19 located within the area;

20 (d) The nature of the proposed special services to be
21 provided within the special service area and a statement as
22 to whether the proposed special services are for new
23 construction, maintenance, or other purposes;

24 (e) ~~(e)~~ A notification that all interested persons,
25 including all persons owning taxable real property located
26 within the special service area, will be given an
27 opportunity to be heard at the hearing regarding the tax
28 levy and an opportunity to file objections to the amount of
29 the tax levy if the tax is a tax upon property; and

30 (f) ~~(d)~~ The maximum rate of taxes to be extended within
31 the special service area in any year and the ~~may include a~~
32 maximum number of years taxes will be levied if a maximum

1 number of years is to be established.

2 After the first levy of taxes within the special service
3 area, taxes may continue to be levied in subsequent years
4 without the requirement of an additional public hearing if the
5 tax rate does, ~~taxes may be extended against the special~~
6 ~~service area for the services specified without additional~~
7 ~~hearings. However, the taxes shall~~ not exceed the rate
8 specified in the notice for the original public hearing notice
9 and ~~if a maximum number of years is specified in the notice,~~
10 the taxes are ~~shall~~ not ~~be~~ extended for a longer period than
11 the number of years specified in the notice if a number of
12 years is specified. Tax rates may be increased and the period
13 specified may be extended, if notice is given and new public
14 hearings are held in accordance with Sections 27-30 and 27-35.

15 (Source: P.A. 82-640; 88-455.)

16 (35 ILCS 200/27-40)

17 Sec. 27-40. Boundaries of special service area. No lien
18 shall be established against any real property in a special
19 service area nor shall a special service area create a valid
20 tax before a certified copy of an ordinance establishing or
21 altering the boundaries of a special service area, containing a
22 legal description of the territory of the area, the permanent
23 tax index numbers of the parcels located within the territory
24 of the area, an accurate map of the territory, a copy of the
25 notice of the public hearing, and a description of the special
26 services to be provided is filed for record in the office of
27 the recorder in each county in which any part of the area is
28 located. The ordinance must be recorded no later than 60 days
29 after the date the ordinance was adopted. An ordinance
30 establishing a special service area recorded beyond the 60 days
31 is not valid. The requirement for recording within 60 days
32 shall not apply to any establishment or alteration of the
33 boundaries of a service area that occurred before September 23,
34 1991.

35 (Source: P.A. 90-218, eff. 7-25-97.)

1 (35 ILCS 200/27-45)

2 Sec. 27-45. Issuance of bonds. Bonds secured by the full
3 faith and credit of the area included in the special service
4 area may be issued for providing the special services. Bonds,
5 when so issued, shall be retired by the levy of taxes in
6 addition to the taxes specified in Section 27-25 against all of
7 the taxable real property included in the area as provided in
8 the ordinance authorizing the issuance of the bonds or by the
9 imposition of another tax within the special service area. The
10 county clerk shall annually extend taxes against all of the
11 taxable property situated in the county and contained in such
12 special service area in amounts sufficient to pay maturing
13 principal and interest of those bonds without limitation as to
14 rate or amount and in addition to and in excess of any taxes
15 that may now or hereafter be authorized to be levied by the
16 municipality or county. Prior to the issuance of those bonds,
17 notice shall be given and a hearing shall be held pursuant to
18 the provisions of Sections 27-30 and 27-35. For purposes of
19 this Section a notice shall include:

20 (a) The time and place of hearing;

21 (b) The boundaries of the area by legal description
22 and, where possible, by street location, ~~where possible;~~

23 (c) The permanent tax index number of each parcel
24 located within the area;

25 (d) The nature of the special services to be provided
26 within the proposed special service area and a statement as
27 to whether the proposed special services are for new
28 construction, maintenance, or other purposes;

29 (e) If the special services are to be maintained other
30 than by the municipality or the county after the life of
31 the bonds, then a statement indicating who will be
32 responsible for maintenance of the special services after
33 the life of the bonds;

34 (f) ~~(e)~~ A notification that all interested persons,
35 including all persons owning taxable property located

1 within the special service area, will be given an
2 opportunity to be heard at the hearing regarding the
3 issuance of the bonds and an opportunity to file objections
4 to the issuance of the bonds; and

5 (g) ~~(d)~~ The maximum amount of bonds proposed to be
6 issued, the maximum period of time over which the bonds
7 will be retired, and the maximum interest rate the bonds
8 will bear.

9 The question of the creation of a special service area, the
10 levy or imposition of a tax in the special service area and the
11 issuance of bonds for providing special services may all be
12 considered together at one hearing.

13 Any bonds issued shall not exceed the number of bonds, the
14 interest rate and the period of extension set forth in the
15 notice, unless an additional hearing is held. Bonds issued
16 pursuant to this Article shall not be regarded as indebtedness
17 of the municipality or county, as the case may be, for the
18 purpose of any limitation imposed by any law.

19 (Source: P.A. 82-640; 88-455.)

20 (35 ILCS 200/27-75)

21 Sec. 27-75. Extension of tax levy. If a property tax is
22 levied, the tax shall be extended by the county clerk in the
23 special service area in the manner provided by Articles 1
24 through 26 of this Code based on equalized assessed values as
25 established under Articles 1 through 26. The municipality or
26 county shall file a certified copy of the ordinance creating
27 the special service area, including an accurate map thereof, a
28 copy of the public hearing notice, and a description of the
29 special services to be provided, with the county clerk. The
30 corporate authorities of the municipality or county may levy
31 taxes in the special service area prior to the date the levy
32 must be filed with the county clerk, for the same year in which
33 the ordinance and map are filed with the county clerk. In
34 addition, the corporate authorities shall file a certified copy
35 of each ordinance levying taxes in the special service area on

1 or before the last Tuesday of December of each year and shall
2 file a certified copy of any ordinance authorizing the issuance
3 of bonds and providing for a property tax levy in the area by
4 December 31 of the year of the first levy.

5 In lieu of or in addition to an ad valorem property tax, a
6 special tax may be levied and extended within the special
7 service area on any other basis that provides a rational
8 relationship between the amount of the tax levied against each
9 lot, block, tract and parcel of land in the special service
10 area and the special service benefit rendered. In that case, a
11 special tax roll shall be prepared containing: (a) a
12 description of the special services to be provided, (b) an
13 explanation of the method of spreading the special tax, (c) ~~(b)~~
14 a list of lots, blocks, tracts and parcels of land in the
15 special service area, and (d) ~~(e)~~ the amount assessed against
16 each. The special tax roll shall be included in the ordinance
17 establishing the special service area or in an amendment of the
18 ordinance, and shall be filed with the county clerk for use in
19 extending the tax. The lien and foreclosure remedies provided
20 in Article 9 of the Illinois Municipal Code shall apply upon
21 non-payment of the special tax.

22 As an alternative to an ad valorem tax based on the whole
23 equalized assessed value of the property, the corporate
24 authorities may provide for the ad valorem tax to be extended
25 solely upon the equalized assessed value of the land in a
26 special service area, without regard to improvements, if the
27 equalized assessed value of the land in the special service
28 area is at least 75% of the total of the whole equalized
29 assessed value of property within the special service area at
30 the time that it was established. If the corporate authorities
31 choose to provide for this method of taxation on the land value
32 only, then each notice given in connection with the special
33 service area must include a statement in substantially the
34 following form: "The taxes to be extended shall be upon the
35 equalized assessed value of the land in the proposed special
36 service area, without regard to improvements.

1 (Source: P.A. 83-1245; 88-455.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.