



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB4217

Introduced 12/2/2005, by Rep. Tom Cross

SYNOPSIS AS INTRODUCED:

75 ILCS 16/15-5
75 ILCS 16/15-15

Amends the Public Library District Act of 1991. Provides that the Sections in the Act that authorize the annexation of territory are each an independent authorization for the annexation of contiguous territory. Provides that a library district may annex territory by ordinance if that territory is located within the boundaries of a municipality or school district that is included within the district (now, the district may annex the territory if the municipality or school district has annexed or otherwise includes the territory within its boundaries). Deletes a provision that the annexation ordinance must recite the prior annexation or other inclusion of the territory by the municipality or school district. Provides that if, before the effective date of this amendatory Act, a district has annexed territory and that annexation complies with the statutory requirements, as changed by this amendatory Act, then, for all purposes, that annexation is validated, ratified, and declared to be in full force and effect from the date on which the district completed its annexation of the territory. Makes technical changes. Effective immediately.

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FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

1 AN ACT concerning libraries.

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

4 Section 5. The Public Library District Act of 1991 is
5 amended by changing Sections 15-5 and 15-15 as follows:

6 (75 ILCS 16/15-5)

7 Sec. 15-5. Annexation of contiguous territory. Territory
8 outside of any district but contiguous to the district may be
9 annexed as provided in Sections 15-10 through 15-45, and each
10 of these Sections constitutes an independent authorization for
11 the annexation of contiguous territory.

12 (Source: P.A. 87-1277.)

13 (75 ILCS 16/15-15)

14 Sec. 15-15. Territory included within municipality or
15 school district.

16 (a) A district may, by ordinance, annex territory if that
17 territory is:

18 (1) located within the boundaries of a municipality or
19 school district that is included, entirely or partially,
20 within the district;

21 (2) contiguous to the district; and

22 (3) without local, tax-supported public library
23 service.

24 An ordinance under this subsection must describe the territory
25 to be annexed.

26 ~~Whenever a municipality or school district included entirely or~~
27 ~~partially within a district has annexed or otherwise includes~~
28 ~~within its boundaries territory contiguous to the district and~~
29 ~~without local tax supported public library service, the~~
30 ~~district may annex that territory by the passage of an~~
31 ~~ordinance to that effect, describing the territory annexed and~~

1 ~~reciting the prior annexation or other inclusion of the~~
2 ~~territory by the municipality or school district.~~

3 (b) Within 15 days of the passage of the annexation
4 ordinance, the library district shall send notice of the
5 adoption of the ordinance, a copy of the map showing the
6 boundaries of the territory to be annexed, and a copy of the
7 text of the publication notice required in this Section to the
8 president of the board of trustees of each public library with
9 territory within one mile of the territory to be annexed.
10 Within 15 days after the adoption of the ordinance it shall be
11 published as provided in Section 1-30. The board may vacate an
12 annexation ordinance before its publication.

13 (c) The publication or posting of the ordinance shall
14 include a notice of (i) the specific number of voters required
15 to sign a petition requesting that the question of the adoption
16 of the ordinance be submitted to the voters of the district or
17 the territory to be annexed or both, (ii) the time in which the
18 petition must be filed, and (iii) the date of the prospective
19 referendum. The district secretary shall provide a petition
20 form to any individual requesting one.

21 (d) If no petition is filed with the library district
22 within 30 days after publication or posting of the ordinance,
23 the annexation shall take effect. If, however, within the 30
24 day period, a petition is filed with the Board of Trustees of
25 the library district, signed by voters of the district or the
26 territory to be annexed, or both, equal in number to 10% or
27 more of the total number of registered voters in the district,
28 the territory to be annexed or both, asking that the question
29 of the annexation of the territory be submitted to the voters
30 of the territory, the board of trustees may vacate the
31 annexation ordinance or certify the question to the proper
32 election authority, who shall submit the question at the next
33 regular election. Notice of this election shall be given and
34 the election shall be conducted in accordance with the Election
35 Code. The proposition shall be submitted to the voters in
36 substantially the following form:

1 Shall (description of territory) be annexed to (name of
2 public library district), (location), Illinois?

3 (e) If a majority of votes cast upon the proposition in the
4 district, and also a majority of votes cast upon the
5 proposition in the territory to be annexed, are in favor of the
6 proposition, the Board of Trustees of the library district may
7 conclude the annexation of the territory.

8 (f) If, before the effective date of this amendatory Act of
9 the 94th General Assembly, a district has annexed territory
10 under this Section and that annexation complies with the
11 requirements set forth in this Section, as changed by this
12 amendatory Act of the 94th General Assembly, then, for all
13 purposes, that annexation is hereby validated, ratified, and
14 declared to be in full force and effect from: (i) 30 days after
15 publication or posting of the ordinance if no petition was
16 filed with the library district under subsection (d); or (ii)
17 if a petition was filed, on the date that the district
18 concluded the annexation of the territory under subsection (e).

19 (Source: P.A. 87-1277.)

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