

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 Township Code is amended by changing  
5 Sections 115-10 and 115-20 as follows:

6 (60 ILCS 1/115-10)

7 Sec. 115-10. Open space plan; petition.

8 (a) A board desiring to enter upon an open space program  
9 may do so only after adoption of an open space plan under  
10 Section 115-15. The board shall commence preparation of an open  
11 space plan under that Section only upon the filing with the  
12 township clerk of a petition signed by not less than 5% or 50,  
13 whichever is greater, of the registered voters of the township  
14 (according to the voting registration records at the time the  
15 petition is filed) recommending that the board commence  
16 preparation of an open space plan. Within 5 business days after  
17 the filing of a petition to recommend that the board commence  
18 the preparation of an open space plan, the township clerk shall  
19 provide a public notice of the existence of the petition in the  
20 same manner as notices of meetings of the township board are  
21 provided. A hearing shall be conducted no less than 30 days  
22 after the filing of the petition to determine the validity of  
23 the petition, which may be challenged in accordance with the  
24 general election law.

25 (b) A proposed open space plan shall (i) identify all open  
26 land within the township that the board deems necessary to  
27 acquire in order to accomplish the purposes of the open space  
28 program; (ii) state the ways in which the acquisition of open  
29 land will further open space purposes; (iii) state the  
30 estimated costs of implementing the proposed plan; (iv) state  
31 the approximate tax, per \$100 of assessed value, that will be  
32 levied to provide the necessary funds for implementing the

1 proposed plan; (v) state the estimated timetable for  
2 implementing the proposed plan; and (vi) establish standards  
3 and procedures for establishing priorities for the acquisition  
4 of parcels identified in the plan.

5 (Source: P.A. 85-1140; 88-62.)

6 (60 ILCS 1/115-20)

7 Sec. 115-20. Referendum on recommended plan; petition.

8 (a) If the board recommends adoption of the open space  
9 plan, or if a subsequent petition is filed by not less than 5%  
10 or 50, whichever is greater, of the registered voters of the  
11 township (according to the voting registration records at the  
12 time the petition is filed) recommending adoption of the open  
13 space plan, then the Board, within 30 days of making ~~of~~ the  
14 recommendation or within 30 days of approving the filing of the  
15 petition, shall file a petition with the township clerk,  
16 requesting the clerk to submit to the voters of the township  
17 the question of whether the township shall adopt the open space  
18 plan and enter upon an open space program, with the power to  
19 acquire open land by purchase, condemnation (except townships  
20 in counties having a population of more than 150,000 but not  
21 more than 250,000), or otherwise in the township and with the  
22 power to issue bonds for those purposes under this Article.  
23 Approval of a petition recommending adoption of the open space  
24 plan shall be given if the petition is determined to be valid  
25 following public notice and a hearing consistent with the  
26 requirements of Section 115-10 for the initial petition. The  
27 total amount of bonds to be issued under this Section may not  
28 exceed 5% of the valuation of all taxable property in the  
29 township and shall be set forth in the question as a dollar  
30 amount. The township clerk shall certify that proposition to  
31 the proper election officials, who shall submit the proposition  
32 to the township voters at the next regular election. The  
33 referendum shall be conducted and notice given in accordance  
34 with the general election law.

35 (b) The question submitted to the voters at the election

1 shall be in substantially the following form:

2           Shall (name of township) adopt the open space plan  
3           considered at the public hearing on (date) and enter upon  
4           an open space program, and shall the Township Board have  
5           the power (i) to acquire open land by purchase (insert "  
6           condemnation," if the township is in a county having a  
7           population of more than 250,000) or otherwise, (ii) to  
8           issue bonds for open space purposes in an amount not  
9           exceeding \$(amount), and (iii) to levy a tax to pay the  
10          principal of and interest on those bonds, as provided in  
11          Article 115 of the Township Code?

12 The votes shall be recorded as "Yes" or "No".

13          (c) If a majority of the voters voting at the election on  
14          the question vote in favor of the question, the township shall  
15          thereafter adopt the open space plan recommended by the board  
16          or by the petition of the registered voters of the township and  
17          shall enter upon an open space program under this Article. If  
18          the proposition does not receive the approval of a majority of  
19          the voters voting at the election on the question, no  
20          proposition may be submitted to the voters under this Section  
21          less than 23 months after the date of the election.

22          (d) If a majority of the legal voters voting at referendum  
23          in any township approved a proposition at the consolidated  
24          election in 2001 in reliance upon and consistent with this  
25          Section 115-20 as it existed prior to the effective date of  
26          Public Act 91-847, then that referendum and all actions taken  
27          in reliance thereon are hereby validated and are legally  
28          binding in all respects.

29          (Source: P.A. 91-641, eff. 8-20-99; 91-847, eff. 6-22-00; 92-6,  
30          eff. 6-7-01.)

31          Section 99. Effective date. This Act takes effect upon  
32          becoming law.