



Sen. Kimberly A. Lightford

Filed: 3/3/2005

09400SB2087sam001

LRB094 08857 MKM 42928 a

1 AMENDMENT TO SENATE BILL 2087

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2087 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Addison Creek Restoration Commission Act is  
5 amended by changing Sections 15 and 20 and by adding Section 17  
6 as follows:

7 (20 ILCS 3901/15)

8 (Section scheduled to be repealed on January 1, 2010)

9 Sec. 15. Acceptance of grants, loans, advances, and  
10 appropriations. The Commission may apply for and accept  
11 grants, loans, advances, and appropriations from the federal  
12 government and from the State of Illinois or any agency or  
13 instrumentality thereof to be used for the purposes of the  
14 Commission and may enter into any agreement in relation to  
15 these grants, loans, advances, and appropriations. The  
16 Commission may also accept from the State, any State agency,  
17 department, or commission, any unit of local government, any  
18 railroad, school authority, or jointly therefrom, grants of  
19 funds or services for any of the purposes of this Act.

20 (Source: P.A. 93-948, eff. 8-19-04.)

21 (20 ILCS 3901/17 new)

22 Sec. 17. Borrowing money and issuance of bonds. The  
23 Commission may incur debt and borrow money from time to time

1 and, in evidence thereof, may issue and sell bonds in such  
2 amount or amounts as the Commission may determine to provide  
3 funds for carrying out the purposes of this Act, to pay all  
4 costs and expenses incident to issuing the bonds, and to refund  
5 and refinance, from time to time, bonds so issued and sold, as  
6 often as may be deemed to be advantageous by the Commission.  
7 Before or at the time of issuing bonds, the Commission shall  
8 provide by ordinance for the collection of an annual tax  
9 sufficient to pay the interest on the bonds as it falls due and  
10 to pay the bonds as they mature. The total amount levied and  
11 extended under this Section, in the aggregate, in all taxable  
12 years, shall not exceed \$10,000,000.

13 (20 ILCS 3901/20)

14 (Section scheduled to be repealed on January 1, 2010)

15 Sec. 20. Taxing powers.

16 (a) After the first Monday in October and by the first  
17 Monday in December in each year, the Commission shall levy the  
18 general taxes for the Commission by general categories for the  
19 next fiscal year. A certified copy of the levy ordinance shall  
20 be filed with the county clerk of each county in which the  
21 territory of the Commission is located by the last Tuesday in  
22 December each year.

23 (b) The amount of taxes levied for general corporate  
24 purposes for a fiscal year may not exceed the rate of .01% of  
25 the value, as equalized or assessed by the Department of  
26 Revenue, of the taxable property within the territory of the  
27 Commission, provided that the total amount levied and extended  
28 under this Section, in the aggregate, in all taxable years  
29 combined shall not exceed \$10,000,000.

30 (c) This tax and tax rate are exclusive of the taxes  
31 required for the payment of the principal of and interest on  
32 bonds.

33 (d) The rate of tax levied for general corporate purposes

1 may not be initially imposed or thereafter increased unless the  
2 board first adopts a resolution authorizing the initial  
3 imposition of the tax rate or the increase and publishes notice  
4 thereof in a newspaper having general circulation in the  
5 territory of the Commission at least once not less than 45 days  
6 prior to the effective date of the initial imposition of the  
7 tax rate or the increase. The notice shall include a statement  
8 of (1) the specific number of voters required to sign a  
9 petition requesting that the question of the adoption of the  
10 resolution be submitted to the electors of the territory of the  
11 Commission; (2) the time in which the petition must be filed;  
12 and (3) the date of the prospective referendum. The Commission  
13 shall provide a petition form to any individual requesting one.  
14 If, no later than 30 days after the publication of the notice,  
15 petitions signed by voters of the territory of the Commission  
16 equal to 10% or more of the registered voters of the  
17 Commission, as determined by reference to the number of voters  
18 registered at the next preceding general election, and residing  
19 in the territory of the Commission are presented to the  
20 Commission expressing opposition to the imposition of the tax  
21 rate or the increase, the proposition must first be certified  
22 by the Commission to the proper election officials, who shall  
23 submit the proposition to the legal voters of the territory of  
24 the Commission at an election in accordance with the general  
25 election law and approved by a majority of those voting on the  
26 proposition.

27 The rate of the tax levied for general corporate purposes  
28 of the Commission may be initially imposed or thereafter  
29 increased, up to the maximum rate identified in subsection (b),  
30 by the Commission by a resolution calling for the submission of  
31 the question of imposing or increasing the rate to the voters  
32 of the territory of the Commission in accordance with the  
33 general election law. The question must be in substantially the  
34 following form:

1           Shall the Commission be authorized to establish its  
2           general corporate tax rate at (insert rate) on the  
3           equalized assessed value on all taxable property located  
4           within the territory of the Commission for its general  
5           purposes?

6           The ballot must have printed on it, but not as part of the  
7           proposition submitted, the following: "The approximate impact  
8           of the proposed (tax rate or increase) on the owner of a single  
9           family home having a market value of (insert value) would be  
10           (insert amount) in the first year of the (tax rate or increase)  
11           if the (tax rate or increase) is fully implemented." The ballot  
12           may have printed on it, but not as part of the proposition, one  
13           or both of the following: "The last tax rate extended for the  
14           purposes of the Commission was (insert rate). The last rate  
15           increase approved for the purposes of the Commission was in  
16           (insert year)." No other information needs to be included on  
17           the ballot.

18           The votes must be recorded as "Yes" or "No".

19           If a majority of the electors voting on the question vote  
20           in the affirmative, the Commission may thereafter levy the tax.  
21           ~~The Commission shall not have the power to levy real property~~  
22           ~~taxes for any purpose whatsoever.~~

23           (Source: P.A. 93-948, eff. 8-19-04.)

24           Section 99. Effective date. This Act takes effect on July  
25           1, 2005."