

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 Counties Code is amended by adding Section  
5 5-1009.5 as follows:

6 (55 ILCS 5/5-1009.5 new)

7 Sec. 5-1009.5. Tax for county farmland preservation  
8 easement purposes; Kane County.

9 (a) Whenever a petition signed by 100 taxpayers residing in  
10 Kane County is presented to the county board of Kane County  
11 requesting the submission of a proposition, or if the county  
12 board of Kane County adopts a resolution requesting the  
13 submission of a proposition, of whether or not an annual tax  
14 shall be levied at a rate not to exceed 0.05% of the value, as  
15 equalized or assessed by the Department of Revenue, on all  
16 taxable property in the county for the purpose of creating and  
17 maintaining a fund for county farmland preservation easement  
18 purposes, that county board shall adopt a resolution for the  
19 submission of the proposition at the next regular election held  
20 in the county. The county board shall certify the resolution  
21 and the proposition to the proper election officials, who shall  
22 submit the proposition at an election in accordance with the  
23 general election law. The foregoing limitations upon tax rates

1 may be increased or decreased under the referendum provisions  
2 of the General Revenue Law of Illinois.

3 (b) Upon the adoption of the resolution and the  
4 certification thereof to the county clerk of the county, the  
5 proposition shall be submitted at the next regular election  
6 held in the county.

7 The proposition shall be in substantially the following  
8 form:

9 Shall an annual tax of not to exceed 0.05% be levied in  
10 Kane County for county farmland preservation easement  
11 purposes in the county?

12 Votes shall be recorded as "yes" or "no".

13 If a majority of the legal voters of the county voting on  
14 the proposition vote in favor thereof, the proposition shall be  
15 deemed adopted.

16 (c) Upon the adoption of the proposition in accordance with  
17 subsection (b), the county board shall cause an annual tax of  
18 not to exceed 0.05% of value, as equalized or assessed by the  
19 Department of Revenue, of all taxable property of the county to  
20 be levied upon all the taxable property in the county for  
21 county farmland preservation easement purposes. Any tax  
22 imposed under this Section shall be in addition to all other  
23 taxes authorized by law to be levied and collected in the  
24 county and shall be in addition to the maximum of taxes  
25 authorized by law for county purposes. The foregoing  
26 limitations upon tax rates may be increased or decreased

1 according to the referendum provisions of the General Revenue  
2 Law of Illinois.

3 (d) The proceeds of the tax authorized under this Section  
4 shall be paid into a separate fund in the county treasury to be  
5 known as the County Farmland Preservation Easement Fund. That  
6 fund may be used by the county board for the purchase of  
7 easements to preserve farmland within the county. The fund  
8 shall be expended in the same manner and subject to the same  
9 requirements as other county expenditures.

10 (e) If Kane County has authorized a tax for county farmland  
11 preservation easement purposes under the provisions of this  
12 Section, and a petition signed by 100 taxpayers residing in  
13 Kane County is presented to the county board of Kane County  
14 requesting a proposition whether or not the tax for county  
15 farmland preservation easement purposes in the county shall be  
16 discontinued, the county board shall adopt a resolution  
17 providing for the submission of the proposition to the voters  
18 of the county at the next regular election held in accordance  
19 with the general election law.

20 If a majority of the voters of the county voting upon the  
21 proposition are in favor thereof, then the proposition shall be  
22 deemed adopted and the tax shall be discontinued in the county.  
23 In case any funds remain to the credit of the County Farmland  
24 Preservation Easement Fund after the tax has been discontinued,  
25 those remaining funds shall be paid into the general fund for  
26 county purposes in the county treasury. All previously executed

1 farmland preservation easements shall be in effect until the  
2 termination of the easements as provided in each easement  
3 agreement.