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09600SB1750ham001

LRB096 08969 HLH 25898 a

1 AMENDMENT TO SENATE BILL 1750

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1750 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Community Mental Health Act is amended by  
5 changing Sections 4 and 5 as follows:

6 (405 ILCS 20/4) (from Ch. 91 1/2, par. 304)

7 Sec. 4. In order to provide the necessary funds or to  
8 supplement existing funds for such community mental health  
9 facilities and services, including facilities and services for  
10 the person with a developmental disability or a substance use  
11 disorder, the governing body of any governmental unit, subject  
12 to the provisions of Section 5, may levy an annual tax of not  
13 to exceed .15% upon all of the taxable property in such  
14 governmental unit at the value thereof, as equalized or  
15 assessed by the Department of Revenue. If a governmental unit  
16 levies a tax under this Section at a rate of less than 0.15%,

1 that levy may be increased to not more than 0.15% as provided  
2 in Section 5 of this Act. Such tax shall be levied and  
3 collected in the same manner as other governmental unit taxes,  
4 but shall not be included in any limitation otherwise  
5 prescribed as to the rate or amount of governmental unit taxes,  
6 but shall be in addition thereto and in excess thereof.

7 When collected, such tax shall be paid into a special fund  
8 to be designated as the "Community Mental Health Fund" which  
9 shall, upon authorization by the appropriate governmental  
10 unit, be administered by the community mental health board and  
11 used only for the purposes specified in this Act. Nothing  
12 contained herein shall in any way preclude the use of other  
13 funds available for such purposes under any existing Federal,  
14 State or local statute. Interest earned from moneys deposited  
15 in this Fund shall only be used for purposes which are  
16 authorized by this Act.

17 In any city, village, incorporated town, or township which  
18 levies a tax for the purpose of providing community mental  
19 health facilities and services and part or all of such city,  
20 village, incorporated town, or township is in a county or  
21 township, as the case may be, which levies a tax to provide  
22 community mental health facilities and services under the  
23 provisions of this Act, such county or township, as the case  
24 may be, shall pay to such city, village, incorporated town, or  
25 township, as the case may be, the entire amount collected from  
26 taxes under this Section on property subject to a tax which any

1 city, village, incorporated town, or township thereof levies to  
2 provide community mental health facilities and services.

3 Whenever any city, village, incorporated town, or township  
4 receives any payments from a county or township as provided  
5 above, such city, village, incorporated town, or township shall  
6 reduce and abate from the tax levied by the authority of this  
7 Section a rate which would produce an amount equal to the  
8 amount received from such county or township.

9 (Source: P.A. 95-336, eff. 8-21-07.)

10 (405 ILCS 20/5) (from Ch. 91 1/2, par. 305)

11 Sec. 5. (a) When the governing body of a governmental unit  
12 passes a resolution as provided in Section 4 asking that an  
13 annual tax may be levied for the purpose of providing such  
14 mental health facilities and services, including facilities  
15 and services for the person with a developmental disability or  
16 a substance use disorder, in the community and so instructs the  
17 clerk of the governmental unit such clerk shall certify the  
18 proposition to the proper election officials for submission at  
19 a regular election in accordance with the general election law.  
20 The proposition shall be in the following form:

21 -----  
22 Shall..... (governmental  
23 unit) levy an annual tax of not to YES  
24 exceed .15% for the purpose of providing  
25 community mental health facilities and -----

1 services including facilities and services  
2 for the person with a developmental  
3 disability or a substance use disorder?

NO

4 -----  
5 (b) If the governing body of a governmental unit passes a  
6 resolution as provided in Section 4 asking that the annual tax  
7 be increased, it shall so instruct the clerk of the  
8 governmental unit, and the clerk shall certify the proposition  
9 to the proper election officials for submission at a regular  
10 election in accordance with the general election law. The  
11 proposition shall be in the following form:

12 "Shall the tax imposed by (governmental unit) for the  
13 purpose of providing community mental health facilities  
14 and services, including facilities and services for  
15 persons with a developmental disability or substance use  
16 disorder be increased to (not more than 0.15%)?"

17 (c) If a majority of all the votes cast upon the  
18 proposition are for the levy or increase of such tax, the  
19 governing body of such governmental unit shall thereafter  
20 annually levy a tax not to exceed the rate set forth in Section  
21 4. Thereafter, the governing body shall in the annual  
22 appropriation bill appropriate from such funds such sum or sums  
23 of money as may be deemed necessary, based upon the community  
24 mental health board's budget, the board's annual mental health  
25 report, and the local mental health plan to defray necessary  
26 expenses and liabilities in providing for such community mental

1 health facilities and services.

2 (Source: P.A. 95-336, eff. 8-21-07.)

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