

# HB2583



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

**HB2583**

by Rep. Thomas M. Bennett

#### SYNOPSIS AS INTRODUCED:

70 ILCS 2105/3

from Ch. 42, par. 385

Amends the River Conservancy Districts Act. Provides that a petition to expand a conservancy district may include a new name of the expanded district. Creates referendum language when territory to be added to a conservation district encompasses an entire county or counties. Effective immediately.

LRB101 08780 AWJ 53867 b

FISCAL NOTE ACT  
MAY APPLY

HOUSING  
AFFORDABILITY  
IMPACT NOTE ACT  
MAY APPLY

A BILL FOR

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 River Conservancy Districts Act is amended  
5 by changing Section 3 as follows:

6 (70 ILCS 2105/3) (from Ch. 42, par. 385)

7 Sec. 3. Additional territory may be added to any  
8 conservancy district as provided for in this Act in the manner  
9 following:

10 (1) One per cent or more of the legal voters resident  
11 within the limits of such proposed addition to such conservancy  
12 district, in each county in which the proposed addition is  
13 situated, may petition the circuit court for the county in  
14 which the original petition for the formation of said  
15 conservancy district was filed, to cause the question to be  
16 submitted to the legal voters of such proposed additional  
17 territory whether such proposed additional territory shall  
18 become a part of any conservancy district organized under this  
19 Act and whether such additional territory shall assume a  
20 proportionate share of the bonded indebtedness, if any, of such  
21 conservancy district. Such petition shall be addressed to the  
22 court of the county in which the original petition for  
23 organization was filed, ~~and~~ shall contain a generally accurate

1 description of the boundaries of the territory to be embraced  
 2 in the proposed addition, and, if desired, a new name of the  
 3 expanded district.

4 Upon filing such petition in the office of the circuit  
 5 clerk of the county in which the original petition for the  
 6 formation of such conservancy district was filed it shall be  
 7 the duty of the court to consider, fix and determine the  
 8 boundaries of any such proposed additional territory, whether  
 9 the same shall be those stated in the petition or otherwise and  
 10 a decision of the court shall be reviewable as in other civil  
 11 cases.

12 A date shall be fixed and notice shall be given by the  
 13 court of the county in which such petition is filed of the time  
 14 and place where such hearing shall be held in the manner  
 15 described in Section 1 of this Act. The conduct of the meeting,  
 16 and the power of the court to fix and alter the boundaries of  
 17 the proposed addition shall be carried out in the manner  
 18 described in Section 1 of this Act, as nearly as may be. The  
 19 court shall certify the question to the proper election  
 20 officials who shall submit the question at an election in  
 21 accordance with the general election law. The question shall be  
 22 in substantially the following form:

23 -----

24 For joining the Conservancy  
 25 District and assuming a  
 26 proportionate share of bonded

1 indebtedness.

2 -----

3 Against joining Conservancy

4 District and assuming a

5 proportionate share of bonded

6 indebtedness.

7 -----

8 If a majority of the votes cast upon the question of  
9 becoming a part of any conservancy district shall be in favor  
10 of becoming a part of such conservancy district and if the  
11 board of trustees of said conservancy district accept the  
12 proposed additional territory by ordinance annexing the same,  
13 the court shall enter an appropriate order of record in the  
14 court and such additional territory shall thenceforth be deemed  
15 an integral part of such conservancy district and shall be  
16 subject to all the benefits, responsibilities and obligations  
17 of said conservancy district as herein set forth.

18 Any such additional territory may also be annexed to such  
19 conservancy district upon petition addressed to the court for  
20 the county in which the original petition for organization of  
21 the district was filed, signed by a majority of the owners of  
22 lands constituting such territory sought to be annexed, who  
23 shall have arrived at lawful age and who represent a majority  
24 in area of such territory, which said petition shall contain a  
25 generally accurate description of the boundaries of such  
26 territory sought to be annexed, and shall set forth the

1 willingness of the petitioners of such territory to assume a  
2 proportionate share of the bonded indebtedness, if any, of such  
3 conservancy district.

4       Upon the filing of such petition and notice of and hearing  
5 the decision upon the same by the court, all as herein before  
6 provided in Section 1 of this Act with reference to notice,  
7 hearing and decision upon the petition for the original  
8 organization of such district, such court shall enter an order  
9 containing its findings and decision as to the boundaries of  
10 the territory to be annexed; and thereupon if the board of  
11 trustees of such conservancy district shall pass an ordinance  
12 annexing the territory described in such order to said  
13 conservancy district, the court shall enter an appropriate  
14 order finding that the territory is so annexed and such  
15 additional territory shall thenceforth be deemed an integral  
16 part of such conservancy district and shall be subject to all  
17 the benefits, responsibilities and obligations of said  
18 conservancy district as herein set forth.

19       (2) If the territory to be added to a conservancy district  
20 under item (1) encompasses an entire county or counties, the  
21 question submitted to the voters of the District and the  
22 territories to be added shall be in substantially the following  
23 form:

24       -----  
25       Shall the ..... Conservancy District be expanded to include  
26       ..... (County/counties); (if applicable: shall the

1 District name change to the ..... Conservancy District);  
2 shall the new District have the authority to levy an annual  
3 tax at a maximum rate of .....% of the value of all taxable  
4 property within the limits of the District as equalized or  
5 assessed by the Department of Revenue; and shall the new  
6 territory assume a proportionate share of bonded  
7 indebtedness?

8 -----  
9 If a majority of the votes cast at the election upon the  
10 question are in favor of the proposed expansion of the  
11 district, the district is then reorganized under this Act and  
12 its board shall be reconstituted under Section 4a.

13 (Source: P.A. 86-1307.)

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.