

HB2993



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2993

by Rep. C.D. Davidsmeyer

SYNOPSIS AS INTRODUCED:

75 ILCS 16/15-15
75 ILCS 16/15-20 rep.

Amends the Public Library District Act. Provides that territory annexed by a public library district included within a municipality or school district shall be approved by ordinance of the board, publication or posting, and voter referendum (rather than only by ordinance of the board with the option for a back-door referendum to prevent the annexation). Repeals provisions allowing a referendum to disconnect annexed territory from a library district. Effective immediately.

LRB101 05055 AWJ 50065 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 Public Library District Act of 1991 is
5 amended by changing Section 15-15 as follows:

6 (75 ILCS 16/15-15)

7 Sec. 15-15. Territory included within municipality or
8 school district.

9 (a) A district may, by ordinance and referendum, annex
10 territory if that territory is:

11 (1) located within the boundaries of a municipality or
12 school district that is included, entirely or partially,
13 within the district;

14 (2) contiguous to the district; and

15 (3) without local, tax-supported public library
16 service.

17 An ordinance under this subsection must describe the territory
18 to be annexed. Prior to adopting the ordinance, the board of
19 trustees of the library district shall send notice of the
20 proposed ordinance to the president of the board of trustees of
21 each public library located within one mile of the territory to
22 be annexed. The library district may, in addition, provide
23 notice of a proposed annexation ordinance on a website

1 maintained by the library district. At any meeting of the board
2 of trustees in which an annexation ordinance under this Section
3 is considered, the board shall provide a reasonable opportunity
4 for any interested person to make public comments on the
5 proposed annexation ordinance.

6 (b) Within 15 days of the passage of the annexation
7 ordinance, the library district shall send notice of the
8 adoption of the ordinance, a copy of the map showing the
9 boundaries of the territory to be annexed, and a copy of the
10 text of the publication notice required in this Section to the
11 president of the board of trustees of each public library with
12 territory within one mile of the territory to be annexed.
13 Within 15 days after the adoption of the ordinance it shall be
14 published as provided in Section 1-30. The board may vacate an
15 annexation ordinance before its publication.

16 (c) The publication or posting of the ordinance shall
17 include a notice of ~~(i) the specific number of voters required~~
18 ~~to sign a petition requesting that~~ the question of the adoption
19 of the ordinance to be submitted to the voters of the district
20 or the territory to be annexed and ~~or both,~~ ~~(ii) the time in~~
21 ~~which the petition must be filed, and (iii) the date of the~~
22 prospective referendum. ~~The district secretary shall provide a~~
23 ~~petition form to any individual requesting one.~~

24 (d) Upon the passage of the annexation ordinance under this
25 Section ~~If no petition is filed with the library district~~
26 ~~within 30 days after publication or posting of the ordinance,~~

1 ~~the annexation shall take effect. If, however, within the 30~~
2 ~~day period, a petition is filed with the Board of Trustees of~~
3 ~~the library district, signed by voters of the district or the~~
4 ~~territory to be annexed, or both, equal in number to 10% or~~
5 ~~more of the total number of registered voters in the district,~~
6 ~~the territory to be annexed or both, asking that the question~~
7 ~~of the annexation of the territory be submitted to the voters~~
8 ~~of the territory, the board of trustees shall may vacate the~~
9 ~~annexation ordinance or~~ certify the question to the proper
10 election authority, who shall submit the question at the next
11 regular election. Notice of this election shall be given and
12 the election shall be conducted in accordance with the Election
13 Code. The proposition shall be submitted to the voters in
14 substantially the following form:

15 Shall (description of territory) be annexed to (name of
16 public library district), (location), Illinois?

17 (e) If a majority of votes cast upon the proposition in the
18 district, and also a majority of votes cast upon the
19 proposition in the territory to be annexed, are in favor of the
20 proposition, the Board of Trustees of the library district may
21 conclude the annexation of the territory.

22 (f) If, before the effective date of this amendatory Act of
23 the 101st General Assembly ~~this amendatory Act of the 94th~~
24 ~~General Assembly~~, a district has annexed territory under this
25 Section ~~and that annexation complies with the requirements set~~
26 ~~forth in this Section, as changed by this amendatory Act of the~~

1 ~~94th General Assembly, then, for all purposes,~~ that annexation
2 is hereby validated, ratified, and declared to be in full force
3 and effect. ~~from: (i) 30 days after publication or posting of~~
4 ~~the ordinance if no petition was filed with the library~~
5 ~~district under subsection (d); or (ii) if a petition was filed,~~
6 ~~on the date that the district concluded the annexation of the~~
7 ~~territory under subsection (e).~~

8 (Source: P.A. 94-899, eff. 6-22-06; 95-161, eff. 1-1-08.)

9 (75 ILCS 16/15-20 rep.)

10 Section 10. The Public Library District Act of 1991 is
11 amended by repealing Section 15-20.

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.