



Sen. Jim Oberweis

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1 AMENDMENT TO SENATE BILL 1061

2 AMENDMENT NO. _____. Amend Senate Bill 1061 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Open Meetings Act is amended by changing
5 Sections 2.02 and 4 as follows:

6 (5 ILCS 120/2.02) (from Ch. 102, par. 42.02)

7 Sec. 2.02. Public notice of all meetings, whether open or
8 closed to the public, shall be given as follows:

9 (a) Every public body shall give public notice of the
10 schedule of regular meetings at the beginning of each calendar
11 or fiscal year and shall state the regular dates, times, and
12 places of such meetings. An agenda for each regular meeting
13 shall be posted at the principal office of the public body and
14 at the location where the meeting is to be held at least 48
15 hours in advance of the holding of the meeting. A public body
16 that has a website ~~that the full time staff of the public body~~

1 ~~maintains~~ shall also post on its website the agenda of any
2 regular meetings of the governing body of that public body. Any
3 agenda of a regular meeting that is posted on a public body's
4 website shall remain posted on the website until the regular
5 meeting is concluded. The requirement of a regular meeting
6 agenda shall not preclude the consideration of items not
7 specifically set forth in the agenda. Public notice of any
8 special meeting except a meeting held in the event of a bona
9 fide emergency, or of any rescheduled regular meeting, or of
10 any reconvened meeting, shall be given at least 48 hours before
11 such meeting, which notice shall also include the agenda for
12 the special, rescheduled, or reconvened meeting, but the
13 validity of any action taken by the public body which is
14 germane to a subject on the agenda shall not be affected by
15 other errors or omissions in the agenda. The requirement of
16 public notice of reconvened meetings does not apply to any case
17 where the meeting was open to the public and (1) it is to be
18 reconvened within 24 hours, or (2) an announcement of the time
19 and place of the reconvened meeting was made at the original
20 meeting and there is no change in the agenda. Notice of an
21 emergency meeting shall be given as soon as practicable, but in
22 any event prior to the holding of such meeting, to any news
23 medium which has filed an annual request for notice under
24 subsection (b) of this Section.

25 (b) Public notice shall be given by posting a copy of the
26 notice at the principal office of the body holding the meeting

1 or, if no such office exists, at the building in which the
2 meeting is to be held. In addition, a public body that has a
3 website ~~that the full-time staff of the public body maintains~~
4 shall post notice on its website of all meetings of the
5 governing body of the public body. Any notice of an annual
6 schedule of meetings shall remain on the website until a new
7 public notice of the schedule of regular meetings is approved.
8 Any notice of a regular meeting that is posted on a public
9 body's website shall remain posted on the website until the
10 regular meeting is concluded. The body shall supply copies of
11 the notice of its regular meetings, and of the notice of any
12 special, emergency, rescheduled or reconvened meeting, to any
13 news medium that has filed an annual request for such notice.
14 Any such news medium shall also be given the same notice of all
15 special, emergency, rescheduled or reconvened meetings in the
16 same manner as is given to members of the body provided such
17 news medium has given the public body an address or telephone
18 number within the territorial jurisdiction of the public body
19 at which such notice may be given. The failure of a public body
20 to post on its website notice of any meeting or the agenda of
21 any meeting shall not invalidate any meeting or any actions
22 taken at a meeting.

23 (c) Any agenda required under this Section shall set forth
24 the general subject matter of any resolution or ordinance that
25 will be the subject of final action at the meeting. The public
26 body conducting a public meeting shall ensure that at least one

1 copy of any requested notice and agenda for the meeting is
2 continuously available for public review during the entire
3 48-hour period preceding the meeting. Posting of the notice and
4 agenda on a website that is maintained by the public body
5 satisfies the requirement for continuous posting under this
6 subsection (c). If a notice or agenda is not continuously
7 available for the full 48-hour period due to actions outside of
8 the control of the public body, then that lack of availability
9 does not invalidate any meeting or action taken at a meeting.

10 (Source: P.A. 97-827, eff. 1-1-13.)

11 (5 ILCS 120/4) (from Ch. 102, par. 44)

12 Sec. 4.

13 (a) Any person violating any of the provisions of this Act,
14 except subsection (b), (c), (d), (e), or (f) of Section 1.05,
15 shall be guilty of a Class C misdemeanor.

16 (b) If a public body fails to post any notice on its
17 website, then any person may file suit in the circuit court of
18 the county where the public body is located. The person may
19 bring a mandamus or injunction action to compel the unit of
20 local government to comply with the requirement to post the
21 notice on its website.

22 If the court determines that a public body has failed to
23 post the notice on its website in accordance with Section 2.02,
24 the court shall impose on the public body a civil penalty of
25 not less than \$500 for the first violation and \$1,250 for each

1 subsequent violation. If a person prevails in a proceeding
2 under this Section, the court shall also award the person
3 reasonable attorney's fees and costs. The court may impose an
4 additional penalty of up to \$500 for each day this violation
5 continues if the public body fails to comply with the court's
6 order after 30 days.

7 In this Section, "prevails" means: (i) the party obtains
8 some of his or her requested relief through a judicial order in
9 his or her favor or through any settlement agreement approved
10 by the court; or (ii) the pursuit of a nonfrivolous claim was a
11 catalyst for a unilateral change in position by the opposing
12 party relative to the relief sought.

13 (Source: P.A. 97-504, eff. 1-1-12; 97-1153, eff. 1-25-13;
14 98-900, eff. 8-15-14.)

15 Section 10. The Property Tax Code is amended by changing
16 Sections 12-10, 12-30, 18-75, 18-120, and 27-30 as follows:

17 (35 ILCS 200/12-10)

18 Sec. 12-10. Publication of assessments; counties of less
19 than 3,000,000.

20 (a) In counties with less than 3,000,000 inhabitants, as
21 soon as the chief county assessment officer has completed the
22 assessment in the county or in the assessment district, he or
23 she shall, in each year of a general assessment, publish for
24 the county or assessment district a complete list of the

1 assessment, by townships if so organized. In years other than
2 years of a general assessment, the chief county assessment
3 officer shall publish a list of property for which assessments
4 have been added or changed since the preceding assessment,
5 together with the amounts of the assessments, except that
6 publication of individual assessment changes shall not be
7 required if the changes result from equalization by the
8 supervisor of assessments under Section 9-210, or Section
9 10-200, in which case the list shall include a general
10 statement indicating that assessments have been changed
11 because of the application of an equalization factor and shall
12 set forth the percentage of increase or decrease represented by
13 the factor. The publication shall be made on or before December
14 31 of that year, and shall be printed in some public newspaper
15 or newspapers published in the county. In every township or
16 assessment district in which there is published one or more
17 newspapers of general circulation, the list of that township
18 shall be published in one of the newspapers.

19 (b) Notwithstanding any other provision of law, for each
20 parcel for which an individual notification meeting the
21 requirements of Section 12-30 was mailed to the taxpayer,
22 publication of an individual listing of assessment in a
23 newspaper of general circulation is not required beginning with
24 the 2020 valuation year, so long as the list as described in
25 subsection (a) above is published on a county-controlled
26 website.

1 (c) At the top of the list of assessments there shall be a
2 notice in substantially the following form printed in type no
3 smaller than eleven point:

4 "NOTICE TO TAXPAYERS

5 Median Level of Assessment--(insert here the median level
6 of assessment for the assessment district)

7 Your property is to be assessed at the above listed median
8 level of assessment for the assessment district. You may check
9 the accuracy of your assessment by dividing your assessment by
10 the median level of assessment. The resulting value should
11 equal the estimated fair cash value of your property. If the
12 resulting value is greater than the estimated fair cash value
13 of your property, you may be over-assessed. If the resulting
14 value is less than the fair cash value of your property, you
15 may be under-assessed. You may appeal your assessment to the
16 Board of Review."

17 (d) The notice published under this Section shall also
18 include the following:

19 (1) A statement advising the taxpayer that assessments
20 of property, other than farm land and coal, are required by
21 law to be assessed at 33 1/3% of fair market value.

22 (2) The name, address, phone number, office hours, and,
23 if one exists, the website address of the assessor.

24 (3) A statement advising the taxpayer of the steps to
25 follow if the taxpayer believes the full fair market value
26 of the property is incorrect or believes the assessment is

1 not uniform with other comparable properties in the same
2 neighborhood. The statement shall also (i) advise all
3 taxpayers to contact the township assessor's office, in
4 those counties under township organization, first to
5 review the assessment, (ii) advise all taxpayers to file an
6 appeal with the board of review if not satisfied with the
7 assessor review, and (iii) give the phone number to call
8 for a copy of the board of review rules; if the Board of
9 Review maintains a web site, the notice must also include
10 the address of the website where the Board of Review rules
11 can be viewed.

12 (4) A statement advising the taxpayer that there is a
13 deadline date for filing an appeal with the board of review
14 and indicating that deadline date (30 days following the
15 scheduled publication date).

16 (5) A brief explanation of the relationship between the
17 assessment and the tax bill.

18 (6) In bold type, a notice of possible eligibility for
19 the various homestead exemptions as provided in Section
20 15-165 through Section 15-175 and Section 15-180.

21 (e) The newspaper shall furnish to the local assessment
22 officers as many copies of the paper containing the assessment
23 list as they may require.

24 (Source: P.A. 97-146, eff. 7-14-11.)

1 Sec. 12-30. Mailed notice of changed assessments; counties
2 of less than 3,000,000.

3 (a) In every county with less than 3,000,000 inhabitants,
4 ~~in addition to the publication of the list of assessments in~~
5 ~~each year of a general assessment and of the list of property~~
6 ~~for which assessments have been added or changed, as provided~~
7 ~~above,~~ a notice shall be mailed by the chief county assessment
8 officer to each taxpayer whose assessment has been changed
9 since the last preceding assessment, using the address as it
10 appears on the assessor's records, except in the case of
11 changes caused by a change in the county equalization factor by
12 the Department or in the case of changes resulting from
13 equalization by the chief county assessment officer under
14 Section 9-210, during any year such change is made. The notice
15 may, but need not be, sent by a township assessor.

16 (b) The notice sent under this Section shall include the
17 following:

18 (1) The previous year's assessed value after board of
19 review equalization.

20 (2) Current assessed value and the date of that
21 valuation.

22 (3) The percentage change from the previous assessed
23 value to the current assessed value.

24 (4) The full fair market value (as indicated by
25 dividing the current assessed value by the median level of
26 assessment in the assessment district as determined by the

1 most recent 3 year assessment to sales ratio study adjusted
2 to take into account any changes in assessment levels since
3 the data for the studies were collected).

4 (5) A statement advising the taxpayer that assessments
5 of property, other than farm land and coal, are required by
6 law to be assessed at 33 1/3% of fair market value.

7 (6) The name, address, phone number, office hours, and,
8 if one exists, the website address of the assessor.

9 (7) Where practicable, the notice shall include the
10 reason for any increase in the property's valuation.

11 (8) The name and price per copy by mail of the
12 newspaper in which the list of assessments will be
13 published and the scheduled publication date.

14 (9) A statement advising the taxpayer of the steps to
15 follow if the taxpayer believes the full fair market value
16 of the property is incorrect or believes the assessment is
17 not uniform with other comparable properties in the same
18 neighborhood. The statement shall also (i) advise all
19 taxpayers to contact the township assessor's office, in
20 those counties under township organization, first to
21 review the assessment, (ii) advise all taxpayers to file an
22 appeal with the board of review if not satisfied with the
23 assessor review, and (iii) give the phone number to call
24 for a copy of the board of review rules.

25 (10) A statement advising the taxpayer that there is a
26 deadline date for filing an appeal with the board of review

1 and indicating that deadline date (30 days following the
2 scheduled publication date).

3 (11) A brief explanation of the relationship between
4 the assessment and the tax bill (including an explanation
5 of the equalization factors) and an explanation that the
6 assessment stated for the preceding year is the assessment
7 after equalization by the board of review in the preceding
8 year.

9 (12) In bold type, a notice of possible eligibility for
10 the various homestead exemptions as provided in Section
11 15-165 through Section 15-175 and Section 15-180.

12 (c) In addition to the requirements of subsection (b) of
13 this Section, in every county with less than 3,000,000
14 inhabitants, where the chief county assessment officer
15 maintains and controls an electronic database containing the
16 physical characteristics of the property, the notice shall
17 include the following:

18 (1) The physical characteristics of the taxpayer's
19 property that are available from that database; or

20 (2) A statement advising the taxpayer that detailed
21 property characteristics are available on the county
22 website and the URL address of that website.

23 (d) In addition to the requirements of subsection (b) of
24 this Section, in every county with less than 3,000,000
25 inhabitants, where the chief county assessment officer does not
26 maintain and control an electronic database containing the

1 physical characteristics of the property, and where one or more
2 townships in the county maintain and control an electronic
3 database containing the physical characteristics of the
4 property and some or all of the database is available on a
5 website that is maintained and controlled by the township, the
6 notice shall include a statement advising the taxpayer that
7 detailed property characteristics are available on the
8 township website and the URL address of that website.

9 (e) Except as provided in this Section, the form and manner
10 of providing the information and explanations required to be in
11 the notice shall be prescribed by the Department.

12 (Source: P.A. 96-122, eff. 1-1-10.)

13 (35 ILCS 200/18-75)

14 Sec. 18-75. Notice; place of publication. If the taxing
15 district is located entirely in one county, the notice shall be
16 published in an English language newspaper of general
17 circulation published in the taxing district, or if there is no
18 such newspaper, in an English language newspaper of general
19 circulation published in the county and having circulation in
20 the taxing district.

21 If the taxing district is located primarily in one county
22 but extends into smaller portions of adjoining counties, the
23 notice shall be published in a newspaper of general circulation
24 published in the taxing district, or if there is no such
25 newspaper, in a newspaper of general circulation published in

1 each county in which any part of the district is located.

2 If the taxing district includes all or a large portion of 2
3 or more counties, the notice shall be published in a newspaper
4 of general circulation published in each county in which any
5 part of the district is located.

6 If a taxing district has a website maintained by the
7 full-time staff of the taxing district, then the notice may
8 ~~shall~~ be posted on the website in fulfillment of ~~in addition to~~
9 the other notice requirements of this Section. The failure of a
10 taxing district to post the notice on its website shall not
11 invalidate the notice or any action taken on the tax levy.

12 (Source: P.A. 99-367, eff. 1-1-16.)

13 (35 ILCS 200/18-120)

14 Sec. 18-120. Increase or decrease of rate limit. This Sec.
15 applies only to rates which are specifically made subject to
16 increase or decrease according to the referendum provisions of
17 the General Revenue Law of Illinois. The question of
18 establishing a maximum tax rate limit other than that
19 applicable to the next taxes to be extended may be presented to
20 the legal voters of any taxing district by resolution of the
21 corporate authorities of the taxing district at any regular
22 election. Whenever any taxing district establishes a maximum
23 tax rate lower than that otherwise applicable, it shall publish
24 the ordinance or resolution establishing the maximum tax rate
25 in one or more newspapers in the district within 10 days after

1 the maximum tax rate is established. If no newspaper is
2 published in the district, the ordinance or resolution shall be
3 published in a newspaper having general circulation within the
4 district. The publication requirement may also be satisfied by
5 publication of the ordinance or resolution on the taxing
6 district's website within 10 days after the maximum tax rate is
7 established. The publication of the ordinance or resolution
8 shall include a notice of (a) the specific number of voters
9 required to sign a petition requesting that the question of the
10 adoption of the maximum tax rate be submitted to the voters of
11 the district; (b) the time within which the petition must be
12 filed; and (c) the date of the prospective referendum. The
13 district clerk or secretary shall provide a petition form to
14 any individual requesting one.

15 Either in response to the taxing district's publication or
16 by the voters' own initiative, the question of establishing a
17 maximum tax rate lower than that in effect shall be submitted
18 to the voters of any taxing district at the regular election
19 for officers of the taxing district in accordance with the
20 general election law, but only if the voters have submitted a
21 petition signed by not fewer than 10% of the legal voters in
22 the taxing district. That percentage shall be based on the
23 number of votes cast at the last general election preceding the
24 filing of the petition. The petition shall specify the tax rate
25 to be submitted. The petition shall be filed with the clerk,
26 secretary or other recording officer of the taxing district not

1 more than 10 months nor less than 6 months prior to the
2 election at which the question is to be submitted to the
3 voters, and its validity shall be determined as provided by the
4 general election law. The officer receiving the petition shall
5 certify the question to the proper election officials, who
6 shall submit the question to the voters.

7 Notice shall be given in the manner provided by the general
8 election law.

9 (Source: P.A. 86-1253; 88-455.)

10 (35 ILCS 200/27-30)

11 Sec. 27-30. Manner of notice. Prior to or within 60 days
12 after the adoption of the ordinance proposing the establishment
13 of a special service area the municipality or county shall fix
14 a time and a place for a public hearing. The public hearing
15 shall be held not less than 60 days after the adoption of the
16 ordinance proposing the establishment of a special service
17 area. Notice of the hearing shall be given by publication and
18 mailing, except that notice of a public hearing to propose the
19 establishment of a special service area for weather
20 modification purposes may be given by publication only. Notice
21 by publication shall be given by publication at least once not
22 less than 15 days prior to the hearing in a newspaper of
23 general circulation within the municipality or county or on the
24 municipality's or county's website. Notice by mailing shall be
25 given by depositing the notice in the United States mails

1 addressed to the person or persons in whose name the general
2 taxes for the last preceding year were paid on each property
3 lying within the special service area. A notice shall be mailed
4 not less than 10 days prior to the time set for the public
5 hearing. In the event taxes for the last preceding year were
6 not paid, the notice shall be sent to the person last listed on
7 the tax rolls prior to that year as the owner of the property.
8 (Source: P.A. 97-1053, eff. 1-1-13.)".