

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 Community Mental Health Act is amended by
5 changing Section 5 as follows:

6 (405 ILCS 20/5) (from Ch. 91 1/2, par. 305)

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

18 -----

19 Shall..... (governmental

20 unit) levy an annual tax of ~~not to~~ YES

21 (not more than .15%) exceed .15%

22 for the purpose of providing

23 community mental health facilities and -----

1 services including facilities and services
 2 for the person with a developmental NO
 3 disability or a substance use disorder?

4 -----

5 (b) If a majority of all the votes cast upon the
 6 proposition are for the levy of such tax, the governing body of
 7 such governmental unit shall thereafter annually levy a tax
 8 not to exceed the rate set forth in Section 4. Thereafter, the
 9 governing body shall in the annual appropriation bill
 10 appropriate from such funds such sum or sums of money as may be
 11 deemed necessary, based upon the community mental health
 12 board's budget, the board's annual mental health report, and
 13 the local mental health plan to defray necessary expenses and
 14 liabilities in providing for such community mental health
 15 facilities and services.

16 (c) If the governing body of a governmental unit levies a
 17 tax under Section 4 of this Act and the rate specified in the
 18 proposition under subsection (a) of this Section is less than
 19 0.15%, then the governing body of the governmental unit may,
 20 upon referendum approval, increase that rate to not more than
 21 0.15%. The governing body shall instruct the clerk of the
 22 governmental unit to certify the proposition to the proper
 23 election officials for submission at a regular election in
 24 accordance with the general election law. The proposition
 25 shall be in the following form:

26 "Shall the tax imposed by (governmental unit) for the

1 purpose of providing community mental health facilities
2 and services, including facilities and services for
3 persons with a developmental disability or substance use
4 disorder be increased to (not more than 0.15%)?"

5 If a majority of all the votes cast upon the proposition
6 are for the increase of the tax, then the governing body of the
7 governmental unit may thereafter annually levy a tax not to
8 exceed the rate set forth in the referendum question.

9 (Source: P.A. 95-336, eff. 8-21-07; 96-764, eff. 8-25-09.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.