



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5757

Introduced 11/16/2022, by Rep. Seth Lewis

SYNOPSIS AS INTRODUCED:

55 ILCS 5/3-2015 new

Amends the Counties Code. Provides that the county clerk shall file with the Department of Revenue a certified copy of any ordinance, resolution, or other document required by law to be filed by the county with the Department of Revenue to impose, discontinue, or change the rate of a tax that has been adopted by the county board or approved by the electors of the county by referendum. Provides that the county clerk shall file the ordinance, resolution, or other document with the Department of Revenue no later than the time otherwise designated by law or, if no time is designated by law, no later than 30 days after passage of the ordinance or resolution or approval of a referendum. Provides that the county clerk shall provide written verification to the county board of the filing of an ordinance, resolution, or other document with the Department of Revenue pursuant to the provisions no later than 5 day after the filing. Provides that, if the county clerk fails to file a certified copy or provide written verification, the county board, sheriff, or State's Attorney may commence an action in circuit court and obtain from the court an order to compel the filing, written verification, or both. Provides that, if the county clerk refuses to testify or otherwise comply with an order of the court, the county clerk may be adjudged in contempt of court and punished accordingly. Effective immediately.

LRB102 27744 AWJ 39540 b

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 Counties Code is amended by adding Section
5 3-2015 as follows:

6 (55 ILCS 5/3-2015 new)

7 Sec. 3-2015. Tax notification to the Department of
8 Revenue; verification to county board.

9 (a) The county clerk shall file with the Department of
10 Revenue a certified copy of any ordinance, resolution, or
11 other document required by law to be filed by the county with
12 the Department of Revenue to impose, discontinue, or change
13 the rate of a tax that has been adopted by the county board or
14 approved by the electors of the county by referendum. The
15 county clerk shall file the ordinance, resolution, or other
16 document with the Department of Revenue no later than the time
17 otherwise designated by law or, if no time is designated by
18 law, no later than 30 days after passage of the ordinance or
19 resolution or approval of a referendum.

20 (b) The county clerk shall provide written verification to
21 the county board of the filing of an ordinance, resolution, or
22 other document with the Department of Revenue pursuant to
23 subsection (a) no later than 5 day after the filing.

1 (c) If the county clerk fails to file a certified copy
2 under subsection (a) or provide written verification under
3 subsection (b), the county board, sheriff, or State's Attorney
4 may commence an action in circuit court and obtain from the
5 court an order to compel a filing under subsection (a),
6 written verification under subsection (b), or both. If the
7 county clerk refuses to testify or otherwise comply with an
8 order of the court, the county clerk may be adjudged in
9 contempt of court and punished accordingly.

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