



Sen. Steven J. Rauschenberger

Filed: 5/27/2004

09300HB0846sam002

SRS093 00180 PLM 40050 a

1 AMENDMENT TO HOUSE BILL 846

2 AMENDMENT NO. _____. Amend House Bill 846, AS AMENDED,
3 with reference to page and line numbers of Senate Amendment No.
4 1, on page 7, immediately below line 27, by inserting the
5 following:

6 "Section 15. The Sanitary District Act of 1917 is amended
7 by adding Section 17.2 as follows:

8 (70 ILCS 2405/17.2 new)

9 Sec. 17.2. (a) After incorporation, any district organized
10 under the Act may, in accordance with this Act, acquire, by
11 purchase or condemnation, the territory, treatment works,
12 lines, appurtenances, water treatment works, storage tanks,
13 water lines, appurtenances, and other property of a privately
14 owned public sewer and water utility treatment works that is
15 not located within any other sanitary district, regardless of
16 whether the area serviced by the treatment works is contiguous
17 to the acquiring sanitary district. At the time of acquisition,
18 the private treatment works may not be located within an
19 incorporated city or village, without the consent of such city
20 or village. The distance between the public utility being
21 acquired and the acquiring sanitary district as measured from
22 the point of discharge of the treatment works and the corporate
23 boundary of the acquiring sanitary district at its nearest
24 point shall be within 15 miles and shall be located in the

1 sanitary district's facility planning area (FPA).

2 (b) The acquisition of the public utility by a sanitary
3 district shall not affect the obligation of any bonds issued in
4 the sanitary district or in the territory serviced by the
5 public utility, or invalidate the levy, extension, or
6 collection of any taxes or special assessments within the
7 sanitary district.

8 (c) The acquiring sanitary district may acquire by eminent
9 domain, within or outside its boundaries, easements necessary
10 to connect the works to the sanitary district's sewers or
11 plants.

12 (d) The sanitary district may pass all necessary ordinances
13 to regulate the connections to and use of the public utility's
14 sewer or water system, including the establishment of a user
15 fee for the area serviced by the public utility and may enforce
16 such ordinances against all users of the acquired system,
17 within or outside its boundaries. The sanitary district may
18 own, operate, expand and improve the private treatment works in
19 accordance with the provisions of this Act.

20 (e) The grant of powers set forth in this section are a
21 restatement of existing law.

22 Section 99. Effective date. This Act takes effect upon
23 becoming law."