

1 AN ACT concerning unincorporated areas.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Property Tax Code is amended by changing
5 Section 27-95 as follows:

6 (35 ILCS 200/27-95)

7 Sec. 27-95. Special service area for privately owned or
8 maintained roads in unincorporated areas.

9 (a) If an unincorporated area of a county under township
10 organization in subdivisions initially platted before January
11 1, 1995 ~~1959~~ contains at least one mile ~~2-miles~~ of streets or
12 roadways situated entirely within a township and not owned by
13 the county or any other unit of government, and if the
14 streets and roadways, including related drainage facilities
15 and appurtenances, provide access for police, fire, and other
16 emergency vehicles, the highway commissioner, upon
17 consultation with the county engineer or county
18 superintendent of highways, may propose a special service
19 area as provided in this Section for the purpose of
20 repairing, reconstructing, or maintaining those streets and
21 roadways, and the corporate authorities of the county within
22 which the streets and roadways are located may levy or impose
23 additional taxes upon property within the area for the
24 provision of special services and for the payment of debt
25 incurred in order to provide those special services; provided
26 that if the owners of 51% or more in the number of the lots,
27 tracts, and parcels of real estate that are to be subject to
28 the tax file a petition with the county clerk agreeing with
29 the establishment of a special service area, then the
30 corporate authorities of the county shall proceed with the
31 establishment of the special service area. If a petition is

1 not filed or contains an insufficient number of signatures,
2 the County Board shall proceed no further and the same
3 establishment of a special service area shall not again be
4 initiated for a period of one year.

5 (b) The county engineer or county superintendent of
6 highways may expend county highway funds in providing
7 consultation to a highway commissioner concerning the
8 establishment of a special service area or its administration
9 by the road district.

10 (c) The corporate authorities of the county may issue
11 bonds as provided in this Code to fund the provision of
12 special services within the boundaries of the special service
13 area.

14 (d) The highway commissioner shall make or let
15 contracts, employ labor, and purchase materials and machinery
16 necessary for repairing, reconstructing, or maintaining
17 streets and roadways within a special service area
18 established as provided in this Section. The cost of these
19 obligations shall be reimbursed by the county with special
20 service area tax revenues or bond proceeds, subject to
21 supervision by the county engineer or county superintendent
22 of highways as provided in the Illinois Highway Code.

23 (e) The highway commissioner may propose an increase in
24 the tax rate whenever available funding is or may become
25 insufficient to meet the cost of providing special services
26 under this Section, provided notice is given and new public
27 hearings are held in accordance with Sections 27-30 and
28 27-35. If a petition by at least 51% of the electors and 51%
29 of the owners of record is filed in accordance with Section
30 27-55 objecting to a proposed increase in the tax rate, the
31 tax rate shall not be increased, and the road district shall
32 have no further obligation beyond available funding to
33 provide any services for repairing, reconstructing, or
34 maintaining streets and roadways within the special service

1 area. Upon satisfaction of all bonded indebtedness and other
2 obligations incurred in providing the special services, the
3 special service area shall be dissolved.

4 (Source: P.A. 91-775, eff. 6-9-00.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.