

1 AN ACT in relation to finance.

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

4 Section 5. The Local Government Debt Reform Act is
5 amended by changing Section 5 as follows:

6 (30 ILCS 350/5) (from Ch. 17, par. 6905)

7 Sec. 5. Backdoor referendum procedure.

8 (a) Whenever applicable law provides that the
9 authorization or the issuance of bonds, or the becoming
10 effective of an ordinance providing for the authorization or
11 issuance of bonds, may be subject to a backdoor referendum,
12 the provisions of this Section may be used as an alternative
13 to the specific procedures as otherwise set forth by
14 applicable law.

15 (b) The governing body may adopt an authorizing
16 ordinance describing briefly the authority under which bonds
17 are proposed to be issued, the nature of the project or
18 purpose to be financed, the estimated total costs of the
19 project or purpose, including in such costs all items related
20 to financing the project or purpose, and the maximum amount
21 of bonds authorized to be issued to pay such costs. No
22 further details or specifications are required in such
23 authorizing ordinance. Such authorizing ordinance, along
24 with any other notice as required by applicable law,
25 including any notice as to the right of electors to file a
26 petition and the number of voters required to sign any such
27 petition, shall be published by posting, as authorized by
28 applicable law, or published at least once in a newspaper of
29 general circulation in the governmental unit. The governing
30 body may, but is not required to, post the notice
31 electronically on its World Wide Web pages. A petition may

1 be filed after such publication or posting during the period
2 as provided by applicable law; but upon the expiration of any
3 such period without the filing of a petition meeting the
4 requirements of the applicable law, the governing body shall
5 be authorized to issue such bonds as if they had followed all
6 necessary procedures set forth in such applicable law.

7 (c) If no petition meeting the requirements of
8 applicable law is filed during the petition period, then the
9 governing body may adopt additional ordinances or proceedings
10 supplementing or amending the authorizing ordinance so long
11 as the maximum amount of bonds as set forth in the
12 authorizing ordinance is not exceeded and there is no
13 material change in the project or purpose described in the
14 authorizing ordinance. Such additional ordinances or
15 proceedings shall in all instances become effective
16 immediately without publication or posting or any further act
17 or requirement. The authorizing ordinance, together with
18 such additional ordinance or proceedings, shall constitute
19 complete authority for the issuance of such bonds under
20 applicable law.

21 (d) If applicable law provides that notice alone shall
22 be given to commence a backdoor referendum, the notice shall
23 be published at least once in a newspaper of general
24 circulation in the governmental unit. The governing body
25 may, but is not required to, post the notice electronically
26 on its World Wide Web pages.

27 (Source: P.A. 91-868, eff. 6-22-00.)

28 Section 99. Effective date. This Act takes effect on
29 January 1, 2004.