



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**

Introduced 2/6/2004, by Christine Radogno

**SYNOPSIS AS INTRODUCED:**

70 ILCS 1205/5-2E new

Amends the Park District Code. Authorizes the disconnection from a park district of any territory of the park district located within a municipality that operates a supervised recreation system, maintains a permanent recreation facility, and levies taxes for the establishment, conduct, and maintenance of the supervised recreation system if the affected land owners are subject to a property tax levied by both governmental bodies for recreational services. Contains provisions concerning the requirements and procedure for a petition for disconnection. Prohibits disconnection if the park district owns a park in excess of 10 acres or a permanent recreational facility within the municipality as of January 1, 2004. Repeals these provisions on May 1, 2005. Effective immediately.

LRB093 14798 MKM 41551 b

1 AN ACT concerning park districts.

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

4 Section 5. The Park District Code is amended by adding  
5 Section 5-2E as follows:

6 (70 ILCS 1205/5-2E new)

7 Sec. 5-2E. Park district property within a municipality  
8 with a supervised recreation system; disconnection. Any  
9 territory of a park district that is located within a  
10 municipality that operates a supervised recreation system,  
11 maintains a permanent recreation facility, and levies taxes for  
12 the establishment, conduct, and maintenance of that system may  
13 be disconnected from the park district if the affected land  
14 owners are subject to taxes levied by both governmental bodies  
15 for recreational services. A petition must be signed by not  
16 less than 10% of the owners of record of the land within the  
17 territory proposed to be disconnected. The petition must allege  
18 the facts in support of the disconnection. The petition shall  
19 be filed with the circuit court for the county that contains  
20 the largest portion of such territory to cause the question to  
21 be submitted to the legal voters of the territory proposed to  
22 be disconnected. The court shall, within 60 days, order the  
23 question of disconnection be submitted to the electors of the  
24 territory proposed to be disconnected.

25 The clerk of the circuit court shall certify the question  
26 to the proper election authorities, who shall submit the  
27 question to the electors of the territory at an election in  
28 accordance with the general election law.

29 The question cast at this election shall be in  
30 substantially the following form:

31 Shall (describe territory) be disconnected from (name of  
32 park district)?

1       The votes shall be recorded as "Yes" or "No".

2       If a majority of the votes cast upon the question are in  
3 favor of disconnection, the territory shall be disconnected  
4 from the park district and the park district shall cease to  
5 levy taxes within the disconnected territory other than those  
6 subject to Section 3-7 of the Park District Code for contracted  
7 indebtedness.

8       No disconnection of territory under this Section shall be  
9 permitted if the park district has ownership of a park in  
10 excess of 10 acres or a permanent recreational facility within  
11 the municipality as of January 1, 2004.

12       This amendatory Act of the 93rd General Assembly applies  
13 only to municipalities that have a supervised recreation  
14 system, as described above, on the effective date of this  
15 amendatory Act of the 93rd General Assembly.

16       This Section is repealed on May 1, 2005.

17       Section 97. Severability. The provisions of this Act are  
18 severable under Section 1.31 of the Statute on Statutes.

19       Section 99. Effective date. This Act takes effect upon  
20 becoming law.