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1 AMENDMENT TO SENATE BILL 847

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 847 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Public Library District Act of 1991 is  
5 amended by adding Section 15-82 as follows:

6 (75 ILCS 16/15-82 new)

7 Sec. 15-82. Disconnection from district.

8 (a) Any municipality or township may be disconnected from a  
9 public library district as follows:

10 (1) upon a vote of the majority of the members of its  
11 governing body, the municipality or township may authorize  
12 an advisory question of public policy to be placed on the  
13 ballot at the next regularly scheduled election in each  
14 public library district in which the municipality or  
15 township is located. The governing body shall certify the  
16 question to the proper election authority, which must  
17 submit the question to the electors of each affected  
18 library district at an election in accordance with the  
19 Election Code.

20 The election authority must submit the question in  
21 substantially the following form:

22 Should the (insert name of township or  
23 municipality) be disconnected from (insert name of  
24 library district)?

1       The election authority must record the votes as "Yes" or  
2       "No".

3       (2) After the completion of an advisory referendum  
4       under item (1), the governing body of the municipality or  
5       township may adopt an ordinance to disconnect the territory  
6       of the municipality or township from the public library  
7       district. Any ordinance adopted under this item (2) shall  
8       not take effect until it is approved by the board of  
9       trustees of each public library district in which any part  
10      of the municipality or township is located.

11      (b) The municipality or township shall, upon enactment of a  
12      disconnection ordinance, file with the circuit court in which a  
13      majority of the disconnected territory lies an appropriate  
14      petition and a certified copy of the ordinance. The petition  
15      shall request entry of an order of disconnection and the  
16      preparation of an appraisal setting forth the value of the  
17      tangible property of the district, the liabilities of the  
18      district, and the excess of the liabilities over tangible  
19      assets or property. Notice shall be published by and within the  
20      disconnecting territory.

21      The circuit court shall, after a hearing upon the matter,  
22      enter its order revising the limits and boundaries of the  
23      district and setting forth the liability, if any, yet to be  
24      retired and paid for by the property owners of the disconnected  
25      territory.

26      (d) When any territory has been disconnected from a  
27      district under this Section and the court order providing for  
28      the disconnection also sets forth a continuing liability to be  
29      paid by the property owners of the disconnected territory, then  
30      the county collector of each county affected shall debit upon  
31      his or her books the taxes to be paid and thereafter levied by  
32      the district and extended against taxable property within the  
33      disconnected territory. The county clerk shall continue to  
34      extend district library taxes upon the taxable property within

1 the disconnected territory, and the county collector shall  
2 continue to collect district library taxes upon the taxable  
3 property within the disconnected territory until the excess  
4 liability has been paid and retired.

5 The residents and property owners of the disconnected  
6 territory are entitled to full and free library service from  
7 the district until the earlier of: (i) the final and full  
8 payment of the liability; or (ii) the submission of a  
9 referendum under Section 2-2 of the Illinois Local Library Act  
10 to the electors of the municipality or township. Upon the date  
11 of disconnection, the residents and property owners of the  
12 disconnected territory shall no longer be subject to any tax  
13 levies by the district. Upon full and final payment of the  
14 liability and thereafter, no resident or property owner of the  
15 disconnected territory shall have any right, title, and  
16 interest in and to the assets and tangible property of the  
17 district affected by the disconnection.

18 (d) The board must record a certified copy of the  
19 disconnection order with the recorder of deeds and with the  
20 county clerk and county collector of each county affected.

21 (e) No later than 90 days after the certified copy of the  
22 disconnection order is recorded, the governing body of the  
23 municipality or township must adopt an ordinance for a  
24 referendum to establish a public library under Section 2-2 of  
25 the Illinois Local Library Act.

26 Section 10. The Illinois Local Library Act is amended by  
27 changing Section 2-2 as follows:

28 (75 ILCS 5/2-2) (from Ch. 81, par. 2-2)

29 Sec. 2-2. To provide local public institutions of general  
30 education for citizens of Illinois, the citizens residing in a  
31 village, incorporated town or township without local library  
32 service may establish and maintain a public library for the use

1 and benefit of the residents of the respective village,  
2 incorporated town or township as herein provided.

3 Upon the adoption of an ordinance by the governing body of  
4 an incorporated town, village, or township or when ~~When~~ 100  
5 legal voters of any incorporated town, village or township  
6 present a petition to the clerk thereof asking for the  
7 establishment and maintenance of a public library in such  
8 incorporated town, village or township, the clerk shall certify  
9 the question of whether to establish and maintain a public  
10 library to the proper election authorities who shall submit the  
11 question at a regular election in accordance with the general  
12 election law.

13 The petition shall specify the maximum library tax rate, if  
14 the rate is to be in excess of .15%. In no case shall the rate  
15 specified in the petition be in excess of .60% of the value as  
16 equalized and assessed by the Department of Revenue. The  
17 proposition shall be in substantially the following form:

18 -----  
19 Shall a public library be established YES  
20 and maintained in (name of incorporated -----  
21 town, village or township)? NO  
22 -----

23 If the petition specified a maximum tax rate in excess of  
24 the statutory maximum tax rate of .15%, the proposition shall  
25 be in substantially the following form:

26 -----  
27 Shall a public library be  
28 established and maintained in (name of  
29 incorporated town, village or township), YES  
30 with a maximum annual public library tax -----  
31 rate at. % of the value of all taxable NO  
32 property as equalized and assessed by the  
33 Department of Revenue?  
34 -----

1           If the majority of all votes cast in the incorporated town,  
2           village or township on the proposition are in favor of a public  
3           library, an annual tax may be levied for the establishment and  
4           maintenance of such library, subject to the limitations of  
5           Article 3.

6           (Source: P.A. 85-751.)

7           Section 99. Effective date. This Act takes effect upon  
8           becoming law.".