



Sen. Kimberly A. Lightford

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09400SB2087sam002

LRB094 08857 MKM 42886 a

1 AMENDMENT TO SENATE BILL 2087

2 AMENDMENT NO. _____. Amend Senate Bill 2087 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Addison Creek Restoration Commission Act is
5 amended by changing Sections 15 and 20 and by adding Section 17
6 as follows:

7 (20 ILCS 3901/15)
8 (Section scheduled to be repealed on January 1, 2010)
9 Sec. 15. Acceptance of grants, loans, advances, and
10 appropriations. The Commission may apply for and accept
11 grants, loans, advances, and appropriations from the federal
12 government and from the State of Illinois or any agency or
13 instrumentality thereof to be used for the purposes of the
14 Commission and may enter into any agreement in relation to
15 these grants, loans, advances, and appropriations. The
16 Commission may also accept from the State, any State agency,
17 department, or commission, any unit of local government, any
18 railroad, school authority, or jointly therefrom, grants of
19 funds or services for any of the purposes of this Act.
20 (Source: P.A. 93-948, eff. 8-19-04.)

21 (20 ILCS 3901/17 new)
22 Sec. 17. Borrowing money and issuance of bonds. The
23 Commission may incur debt and borrow money from time to time

1 and, in evidence thereof, may issue and sell bonds in such
2 amount or amounts as the Commission may determine to provide
3 funds for carrying out the purposes of this Act, to pay all
4 costs and expenses incident to issuing the bonds, and to refund
5 and refinance, from time to time, bonds so issued and sold, as
6 often as may be deemed to be advantageous by the Commission.
7 Before or at the time of issuing bonds, the Commission shall
8 provide by ordinance for the collection of an annual tax
9 sufficient to pay the interest on the bonds as it falls due and
10 to pay the bonds as they mature. Any tax imposed under this
11 Section shall be levied against the value, equalized or
12 assessed by the Department of Revenue, of the taxable property
13 both within the Addison Creek floodplain and the territory of
14 the Commission and the total amount levied and extended under
15 this Section, in the aggregate, in all taxable years, shall not
16 exceed \$10,000,000.

17 (20 ILCS 3901/20)

18 (Section scheduled to be repealed on January 1, 2010)

19 Sec. 20. Taxing powers.

20 (a) After the first Monday in October and by the first
21 Monday in December in each year, the Commission shall levy the
22 general taxes for the Commission by general categories for the
23 next fiscal year. A certified copy of the levy ordinance shall
24 be filed with the county clerk of each county in which the
25 territory of the Commission including the Addison Creek
26 floodplain is located by the last Tuesday in December each
27 year.

28 (b) The amount of taxes levied for general corporate
29 purposes for a fiscal year may not exceed the rate of .01% of
30 the value, as equalized or assessed by the Department of
31 Revenue, of the taxable property within both the Addison Creek
32 floodplain and the territory of the Commission, provided that
33 the total amount levied and extended under this Section, in the

1 aggregate, in all taxable years combined shall not exceed
2 \$10,000,000.

3 (c) This tax and tax rate are exclusive of the taxes
4 required for the payment of the principal of and interest on
5 bonds.

6 (d) The rate of tax levied for general corporate purposes
7 may not be initially imposed or thereafter increased unless the
8 board first adopts a resolution authorizing the initial
9 imposition of the tax rate or the increase and publishes notice
10 thereof in a newspaper having general circulation in the
11 territory of the Commission that includes the Addison Creek
12 floodplain at least once not less than 45 days prior to the
13 effective date of the initial imposition of the tax rate or the
14 increase. The notice shall include a statement of (1) the
15 specific number of voters required to sign a petition
16 requesting that the question of the adoption of the resolution
17 be submitted to the electors of that part of the territory of
18 the Commission that is within the Addison Creek floodplain; (2)
19 the time in which the petition must be filed; and (3) the date
20 of the prospective referendum. The Commission shall provide a
21 petition form to any individual requesting one. If, no later
22 than 30 days after the publication of the notice, petitions
23 signed by voters of that part of the territory of the
24 Commission that is within the Addison Creek floodplain equal to
25 10% or more of the registered voters of that part of the
26 territory of the Commission that is within the Addison Creek
27 floodplain, as determined by reference to the number of voters
28 registered at the next preceding general election, and residing
29 in that part of the territory of the Commission that is within
30 the Addison Creek floodplain are presented to the Commission
31 expressing opposition to the imposition of the tax rate or the
32 increase, the proposition must first be certified by the
33 Commission to the proper election officials, who shall submit
34 the proposition to the legal voters of the territory of the

1 Commission at an election in accordance with the general
2 election law and approved by a majority of those voting on the
3 proposition.

4 The rate of the tax levied for general corporate purposes
5 of the Commission may be initially imposed or thereafter
6 increased, up to the maximum rate identified in subsection (b),
7 by the Commission by a resolution calling for the submission of
8 the question of imposing or increasing the rate to the voters
9 of that part of the territory of the Commission that is within
10 the Addison Creek floodplain in accordance with the general
11 election law. The question must be in substantially the
12 following form:

13 Shall the Commission be authorized to establish its
14 general corporate tax rate at (insert rate) on the
15 equalized assessed value on all taxable property located
16 within that part of the territory of the Commission that is
17 within the Addison Creek floodplain for its general
18 purposes?

19 The ballot must have printed on it, but not as part of the
20 proposition submitted, the following: "The approximate impact
21 of the proposed (tax rate or increase) on the owner of a single
22 family home having a market value of (insert value) would be
23 (insert amount) in the first year of the (tax rate or increase)
24 if the (tax rate or increase) is fully implemented." The ballot
25 may have printed on it, but not as part of the proposition, one
26 or both of the following: "The last tax rate extended for the
27 purposes of the Commission was (insert rate). The last rate
28 increase approved for the purposes of the Commission was in
29 (insert year)." No other information needs to be included on
30 the ballot.

31 The votes must be recorded as "Yes" or "No".

32 If a majority of the electors voting on the question vote
33 in the affirmative, the Commission may thereafter levy the tax.
34 ~~The Commission shall not have the power to levy real property~~

1 ~~taxes for any purpose whatsoever.~~

2 (Source: P.A. 93-948, eff. 8-19-04.)

3 Section 99. Effective date. This Act takes effect on July
4 1, 2005.