SB0285

95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0285

Introduced 2/7/2007, by Sen. Kirk W. Dillard

SYNOPSIS AS INTRODUCED:

70 ILCS 1005/10   from Ch. 111 1/2, par. 83

Amends the Mosquito Abatement District Act. Provides that a mosquito abatement district may, by ordinance, annex additional contiguous territory within a city or village if the district contains over 90% of the territory of the city or village and the territory is not incorporated within a mosquito abatement district. Provides that the ordinance is subject to backdoor referendum procedures. Provides that no contiguous territory may be annexed by a mosquito abatement district more than one year after it has been included in the city or village. Provides that no contiguous territory may be annexed by a mosquito abatement district if it expands the mosquito abatement district's boundaries outside of a county unless the district already contains territory in that county.

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HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1   AN ACT concerning local government.

2   **Be it enacted by the People of the State of Illinois,**

3   **represented in the General Assembly:**

4   Section 5. The Mosquito Abatement District Act is amended

5   by changing Section 10 as follows:

6   (70 ILCS 1005/10) (from Ch. 111 1/2, par. 83)

7   Sec. 10. Any territory lying adjacent and contiguous to a

8   mosquito abatement district, and not part of another mosquito

9   abatement district, may be annexed to such district in the

10   following manner:

11   (a) Upon petition in writing, describing the territory

12   proposed to be annexed and signed by a majority of the legal

13   voters in such territory and by the owners of more than half of

14   the taxable property in such territory as shown by the last

15   ascertained equalized value of the taxable property in such

16   territory, being filed with the trustees of such mosquito

17   abatement district, such trustees may annex such territory by a

18   resolution which shall be published at least once in a

19   newspaper having a general circulation in the territory and

20   shall include a notice of (1) the specific number of voters

21   required to sign a petition requesting that the question of the

22   adoption of the resolution be submitted to the electors of the

23   territory; (2) the time in which the petition must be filed;

1   and (3) the date of the prospective referendum. The county

2   clerk of the county in which the territory is situated shall

3   provide a petition form to any individual requesting one. The

4   resolution shall be effective 30 days from the date of

5   publication and is subject to a referendum, if such referendum

6   is requested, prior to the effective date of the resolution, by

7   the voters in the district equal to 10% or more of the

8   registered voters in the district. Such trustees may also order

9   the question of the annexation of such territory to be

10   submitted to the legal voters of such district at a regular

11   election therein by certifying the question to the proper

12   election officials. Notice of such election shall be given and

13   the election conducted in the manner provided by the general

14   election law. The proposition shall be stated, "Shall the

15   territory (describing it) be annexed to The.... Mosquito

16   Abatement District?" If the majority of all the votes cast on

17   the question is in favor of such annexation, the board of

18   trustees shall so certify to the county clerk, and within ten

19   days of such election the trustees by an order duly entered

20   upon their records shall annex such territory to the district

21   and shall file a map of the annexed territory in the office of

22   the county clerk of the county where the annexed territory is

23   situated. Thereupon such territory shall be deemed annexed to

24   and shall be a part of such mosquito abatement district.

25   (b) Whenever a mosquito abatement district contains over

26   90% of territory of a specific city or village, the mosquito

1   abatement district may annex additional adjacent and

2   contiguous territory within that city or village, but not

3   incorporated within a mosquito abatement district, by the

4   passage of an ordinance to that effect.

5   The ordinance authorizing the annexation shall be

6   published within 10 days after the ordinance has been adopted,

7   in one or more newspapers having a general circulation within

8   the territory. The publication of the ordinance shall be

9   accompanied by a notice of (1) the specific number of voters

10 required to sign a petition requesting the question of

11 annexation; (2) the time within which the petition must be

12 filed; and (3) the date of the prospective referendum. The

13 county clerk of the county in which the territory is situated

14 shall provide a petition form to any individual requesting one.

15   The ordinance shall take effect 30 days after the date of

16 publication unless a referendum is requested prior to the

17 effective date of the ordinance by 10% or more of the

18 registered voters in the territory. The question of the

19 annexation of the territory may be submitted to the legal

20 voters of the territory at a regular election by certifying the

21 question to the proper election officials. Notice of the

22 election shall be given and the election conducted in the

23 manner provided by the general election law. The proposition

24 shall be stated, "Shall the territory (describing it) be

25 annexed to The.... Mosquito Abatement District?" If the

26 majority of all the votes cast on the question is in favor of

1   the annexation, the territory shall be deemed annexed to and

2   shall be a part of the mosquito abatement district

3   No territory may be annexed under this subsection (i) more

4   than one year after it has first been included in that city or

5   village unless the territory so annexed is 50 acres or less or

6   (ii) if the annexation would expand the mosquito abatement

7   district's boundaries outside of a county unless the district

8   already contains territory in that county.

9   (Source: P.A. 87-767.)

10   Section 99. Effective date. This Act takes effect upon

11   becoming law.