

1 AN ACT concerning health.

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

4 Section 5. The Community Mental Health Act is amended by  
5 changing Sections 1, 2, 3a, 3e, 3f, 4, 5, 6, 7, 9, 10, and 11 as  
6 follows:

7 (405 ILCS 20/1) (from Ch. 91 1/2, par. 301)

8 Sec. 1. As used in this Act:

9 "Direct recipient services" means only those services  
10 required to carry out a completed individualized treatment plan  
11 that is is signed by a service recipient or legal guardian.  
12 Crisis assessment and stabilization services are excluded,  
13 although these services may be anticipated in a treatment plan.

14 ~~(a)"Governmental governmental unit"~~ means any county,  
15 city, village, incorporated town, or township.†

16 "Person (b) "person with a developmental disability" means  
17 any person or persons so diagnosed and as defined in the Mental  
18 Health and Developmental Disabilities Code. Community mental  
19 health boards operating under this Act may in their  
20 jurisdiction, by a majority vote, add to the definition of  
21 "person with a developmental disability".†

22 "Mental illness" has the meaning ascribed to that term in  
23 the Mental Health and Developmental Disabilities Code.

1 Community mental health boards operating under this Act may in  
2 their jurisdiction, by a majority vote, add to the definition  
3 of "mental illness".

4 "Substance use disorder" encompasses substance abuse,  
5 dependence, and addiction, not inconsistent with federal or  
6 State definitions.

7 ~~(c) "substance abuse" means the excessive use of alcohol,~~  
8 ~~addiction to a controlled substance, or the habitual use of~~  
9 ~~cannabis.~~

10 (Source: P.A. 88-380.)

11 (405 ILCS 20/2) (from Ch. 91 1/2, par. 302)

12 Sec. 2. Any county, city, village, incorporated town,  
13 township, public health district, county health department,  
14 multiple-county health department, school district or any  
15 combination thereof, in consultation with and being advised by  
16 the Department of Human Services, shall have the power to  
17 construct, repair, operate, maintain and regulate community  
18 mental health facilities to provide mental health services as  
19 defined by the local community mental health board, including  
20 services for, persons with a developmental disability or  
21 substance use disorder ~~and for the substance abuser~~, for  
22 residents thereof and/or to contract therefor with any private  
23 or public entity which provides such facilities and services,  
24 either in or without such county, city, village, incorporated  
25 town, township, public health district, county health

1 department, multiple-county health department, school district  
2 or any combination thereof.

3 (Source: P.A. 88-380; 89-507, eff. 7-1-97.)

4 (405 ILCS 20/3a) (from Ch. 91 1/2, par. 303a)

5 Sec. 3a. Every governmental unit authorized to levy an  
6 annual tax under any of the provisions of this Act shall,  
7 before it may levy such tax, establish a 7 member community  
8 mental health board who shall administer this Act. Such board  
9 shall be appointed by the chairman of the governing body of a  
10 county, the mayor of a city, the president of a village, the  
11 president of an incorporated town, or the supervisor of a  
12 township, as the case may be, with the advice and consent of  
13 the governing body of such county, city, village, incorporated  
14 town or the town board of trustees of any township. Members of  
15 the community mental health board shall be residents of the  
16 government unit and, as nearly as possible, be representative  
17 of interested groups of the community such as local health  
18 departments, medical societies, local comprehensive health  
19 planning agencies, hospital boards, lay associations concerned  
20 with mental health, developmental disabilities and substance  
21 abuse, as well as the general public. Only one member shall be  
22 a member of the governing body. The chairman of the governing  
23 body may, upon the request of the community mental health  
24 board, appoint 2 additional members to the community mental  
25 health board. No member of the community mental health board

1 may be a full-time or part-time employee of the Department of  
2 Human Services or a board member, employee or any other  
3 individual receiving compensation from any facility or service  
4 operating under contract to the board; ~~except that unpaid~~  
5 ~~members of the board of directors of any not for profit~~  
6 ~~corporation operating under contract to community mental~~  
7 ~~health boards of 2 adjacent counties established prior to 1979~~  
8 ~~may also be members of such community mental health boards.~~ If  
9 a successful referendum is held under Section 5 of this Act,  
10 all members of such board shall be appointed within 60 days of  
11 the referendum.

12 Home rule units are exempt from this Act. However, they  
13 may, by ordinance, adopt the provisions of this Act, or any  
14 portion thereof, that they may deem advisable.

15 The tax rate set forth in Section 4 may be levied by any  
16 non-home rule unit only pursuant to the approval by the voters  
17 at a referendum. Such referendum may have been held at any time  
18 subsequent to the effective date of the Community Mental Health  
19 Act.

20 (Source: P.A. 89-507, eff. 7-1-97.)

21 (405 ILCS 20/3e) (from Ch. 91 1/2, par. 303e)

22 Sec. 3e. Board's powers and duties.

23 (1) Every community mental health board shall, immediately  
24 after appointment, meet and organize, by the election of one of  
25 its number as president and one as secretary and such other

1 officers as it may deem necessary. It shall make rules and  
2 regulations concerning the rendition or operation of services  
3 and facilities which it directs, supervises or funds, not  
4 inconsistent with the provisions of this Act ~~or with the rules~~  
5 ~~and regulations of the Department of Human Services~~. It shall:

6 (a) Hold a meeting prior to July 1 of each year at  
7 which officers shall be elected for the ensuing year  
8 beginning July 1;

9 (b) Hold meetings at least quarterly;

10 (c) Hold special meetings upon a written request signed  
11 by at least 2 members and filed with the secretary;

12 (d) Review and evaluate community mental health  
13 services and facilities, including services and facilities  
14 for the treatment of alcoholism, drug addiction,  
15 developmental disabilities and mental retardation;

16 (e) Authorize the disbursement of money from the  
17 community mental health fund for payment for the ordinary  
18 and contingent expenses of the board;

19 (f) (e) Submit to the appointing officer and, the  
20 members of the governing body, ~~the Department of Human~~  
21 ~~Services, and the Health Systems Agency~~ a written plan for  
22 a program of community mental health services and  
23 facilities ~~including programs for persons adjudicated~~  
24 ~~delinquent minors under the Juvenile Court Act or the~~  
25 ~~Juvenile Court Act of 1987 who are found to be persons with~~  
26 ~~mental illness,~~ for persons with a mental illness, a

1       developmental disability, or a substance use disorder ~~and~~  
2       ~~for the substance abuser.~~ Such plan shall be for the  
3       ensuing 12 month period. In addition, a plan shall be  
4       developed for the ensuing 3 year period and such plan shall  
5       be reviewed at the end of every 12 month period and shall  
6       be modified as deemed advisable. ~~The basic components of~~  
7       ~~such plans shall be consistent with the regulations of the~~  
8       ~~Department of Human Services.~~

9       (g) ~~(f)~~ Within amounts appropriated therefor, execute  
10      such programs and maintain such services and facilities as  
11      may be authorized under such appropriations, including  
12      amounts appropriated under bond issues, if any;

13      (h) ~~(g)~~ Publish the ~~The board shall cause the~~  
14      ~~publication of its~~ annual budget and report within 120 ~~60~~  
15      days after the end of the fiscal year in a newspaper  
16      distributed ~~published~~ within the jurisdiction of the  
17      board, or, if no newspaper is published within the  
18      jurisdiction of the board, then one published in the  
19      county, or, if no newspaper is published in the county,  
20      then in a newspaper having general circulation within the  
21      jurisdiction of the board. The report shall show the  
22      condition of its trust of that year, the sums of money  
23      received from all sources, giving the name of any donor,  
24      how all monies have been expended and for what purpose, and  
25      such other statistics and program information in regard to  
26      the work of the board as it may deem of general interest. A

1 copy of the budget and the annual report shall be made  
2 available ~~also be sent~~ to the Department of Human Services  
3 and ~~to the regional Health Systems Agency and~~ to members of  
4 the General Assembly whose districts include any part of  
5 the jurisdiction of such board. The names of all employees,  
6 consultants, and other personnel shall be set forth along  
7 with the amounts of money received;

8 (i) ~~(h)~~ Consult with other appropriate ~~local~~ private  
9 and public agencies ~~and the Department of Human Services~~ in  
10 the development of local plans for the most efficient  
11 delivery of mental health, developmental disabilities,  
12 ~~alcoholism~~ and substance use disorder ~~abuse~~ services. The  
13 Board is authorized to join and to participate in the  
14 activities of associations organized for the purpose of  
15 promoting more efficient and effective services and  
16 programs;

17 (j) ~~(i)~~ Have the authority to review ~~Review~~ and comment  
18 on all applications for grants by any person, corporation,  
19 or governmental unit providing services within the  
20 geographical area of the board which provides mental health  
21 facilities and services, ~~when such facilities and services~~  
22 ~~are included in the board's one-year and 3-year plans,~~  
23 including services for the person with a mental illness, a  
24 developmental disability, or a substance use disorder ~~and~~  
25 ~~the substance abuser.~~ The board may require funding  
26 applicants to ~~Grant applicants shall~~ send a copy of their

1        funding grant application to the board at the time such  
2        application is submitted to the Department of Human  
3        Services or to any other local, State or federal funding  
4        source or governmental agency. Within 60 days of the  
5        receipt of any application, the board shall submit its  
6        review and comments to the Department of Human Services or  
7        to any other appropriate local, State or federal funding  
8        source or governmental agency. A copy of the review and  
9        comments shall be submitted ~~both~~ to the funding grant  
10       applicant ~~and to the regional Health Systems Agency~~. Within  
11       60 days thereafter, the Department of Human Services or any  
12       other appropriate local or State governmental agency shall  
13       issue a written response to the board and the funding  
14       applicant, ~~to the grant applicant and to the federal Health~~  
15       ~~Systems Agency~~. The Department of Human Services shall  
16       supply any community mental health board such information  
17       about purchase-of-care funds, State facility utilization,  
18       and costs in its geographical area as the board may request  
19       provided that the information requested is for the purpose  
20       of the Community Mental Health Board complying with the  
21       requirements of Section 3f 3-e, subsection (f) ~~(e)~~ of this  
22       Act;

23        (k) ~~(j)~~ Perform such other acts as may be necessary or  
24        proper to carry out the purposes of this Act, ~~if not~~  
25        ~~inconsistent with the regulations of the Department of~~  
26        ~~Human Services~~.



1           (2) The community mental health board has the following  
2 powers:

3           (a) The board may enter into multiple-year contracts  
4 for rendition or operation of services, facilities and  
5 educational programs.

6           (b) The board may arrange through intergovernmental  
7 agreements or intragovernmental agreements or both for the  
8 rendition of services and operation of facilities by other  
9 agencies or departments of the governmental unit or county  
10 in which the governmental unit is located with the approval  
11 of the governing body.

12           (c) ~~To The board may employ, establish compensation~~  
13 ~~for, and set policies for its such~~ personnel, including  
14 legal counsel, as may be necessary to carry out the  
15 purposes of this Act and prescribe the duties thereof ~~of~~  
16 ~~and establish salaries and provide other compensation for~~  
17 ~~such personnel~~. The board may enter into multiple-year  
18 employment contracts as may be necessary for the  
19 recruitment and retention of personnel and the proper  
20 functioning of the board.

21           (d) The board may enter into multiple-year joint  
22 agreements, which shall be written, with other ~~contiguous~~  
23 mental health boards and boards of health to provide  
24 jointly agreed upon community mental health facilities and  
25 services and to pool such funds as may be deemed necessary  
26 and available for this purpose.

1           (e) The board may organize a not-for-profit  
2 corporation for the purpose of providing direct recipient  
3 services. Such corporations shall have, in addition to all  
4 other lawful powers, the power to contract with persons to  
5 furnish services for recipients of the corporation's  
6 facilities, including psychiatrists and other physicians  
7 licensed in this State to practice medicine in all of its  
8 branches. Such physicians shall be considered independent  
9 contractors, and liability for any malpractice shall not  
10 extend to such corporation, nor to the community mental  
11 health board, except for gross negligence in entering into  
12 such a contract.

13           (f) The board shall not operate any direct recipient  
14 services for more than a 2-year period when such services  
15 are being provided in the governmental unit, but shall  
16 encourage, by financial support, the development of  
17 private agencies to deliver such needed services, pursuant  
18 to regulations of the board.

19           (g) Where there are multiple boards within the same  
20 planning area, as established by the Department of Human  
21 Services, services may be purchased through a single  
22 delivery system. In such areas, a coordinating body with  
23 representation from each board shall be established to  
24 carry out the service functions of this Act. In the event  
25 any such coordinating body purchases or improves real  
26 property, such body shall first obtain the approval of the

1 governing bodies of the governmental units in which the  
2 coordinating body is located.

3 (h) The board may enter into multiple-year joint  
4 agreements with other governmental units located within  
5 the geographical area of the board. Such agreements shall  
6 be written and shall provide for the rendition of services  
7 by the board to the residents of such governmental units.

8 (i) The board may enter into multiple-year joint  
9 agreements with federal, State, and local governments,  
10 including the Department of Human Services, whereby the  
11 board will provide certain services, ~~the costs of which~~  
12 ~~shall be negotiated between the Department and the board.~~  
13 ~~This provision shall not be construed to limit the~~  
14 ~~authority of the board to contract with other federal,~~  
15 ~~State and local agencies.~~ All such joint agreements must  
16 provide for the exchange of relevant data. However, nothing  
17 in this Act shall be construed to permit the abridgement of  
18 the confidentiality of patient records.

19 (j) The board may receive gifts from private sources  
20 for purposes not inconsistent with the provisions of this  
21 Act.

22 (k) The board may receive Federal, State and local  
23 funds for purposes not inconsistent with the provisions of  
24 this Act.

25 (l) The board may establish scholarship programs. Such  
26 programs shall require equivalent service or reimbursement

1           pursuant to regulations of the board.

2           (m) The board may sell, rent, or lease real property  
3           for purposes consistent with this Act.

4           (n) The board may: (i) own real property, lease real  
5           property as lessee, or acquire real property by purchase,  
6           construction, lease-purchase agreement, or otherwise; (ii)  
7           take title to the property in the board's name; (iii)  
8           borrow money and issue debt instruments, mortgages,  
9           purchase-money mortgages, and other security instruments  
10          with respect to the property; and (iv) maintain, repair,  
11          remodel, or improve the property. All of these activities  
12          must be for purposes consistent with this Act as may be  
13          reasonably necessary for the housing and proper  
14          functioning of the board. The board may use moneys in the  
15          Community Mental Health Fund for these purposes.

16          (o) The board may organize a not-for-profit  
17          corporation (i) for the purpose of raising money to be  
18          distributed by the board for providing community mental  
19          health services and facilities for the treatment of  
20          alcoholism, drug addiction, developmental disabilities,  
21          and mental retardation or (ii) for other purposes not  
22          inconsistent with this Act.

23          (Source: P.A. 92-552, eff. 6-24-02.)

24                 (405 ILCS 20/3f) (from Ch. 91 1/2, par. 303f)

25                 Sec. 3f. Annually, each community mental health board shall

1 prepare and submit, for informational purposes in the  
2 appropriations process, to the appointing officer and  
3 governing body referred to in Section 3a: (a) an annual budget  
4 showing the estimated receipts and intended disbursements  
5 pursuant to this Act for the fiscal year immediately following  
6 the date the budget is submitted, which date must be at least  
7 30 days prior to the start of the fiscal year, and (b) an  
8 annual report detailing the income received and disbursements  
9 made pursuant to this Act during the fiscal year just preceding  
10 the date the annual report is submitted, which date must be  
11 within 90 ~~60~~ days of the close of that fiscal year. Such report  
12 shall also include those matters set forth in Section 8 of this  
13 Act.

14 (Source: P.A. 81-898.)

15 (405 ILCS 20/4) (from Ch. 91 1/2, par. 304)

16 Sec. 4. In order to provide the necessary funds or to  
17 supplement existing funds for such community mental health  
18 facilities and services, including facilities and services for  
19 the person with a developmental disability or a substance use  
20 disorder ~~and the substance abuser,~~ the governing body of any  
21 governmental unit, subject to the provisions of Section 5, may  
22 levy an annual tax of not to exceed .15% upon all of the  
23 taxable property in such governmental unit at the value  
24 thereof, as equalized or assessed by the Department of Revenue.  
25 Such tax shall be levied and collected in the same manner as

1 other governmental unit taxes, but shall not be included in any  
2 limitation otherwise prescribed as to the rate or amount of  
3 governmental unit taxes, but shall be in addition thereto and  
4 in excess thereof.

5 When collected, such tax shall be paid into a special fund  
6 to be designated as the "Community Mental Health Fund" which  
7 shall, upon authorization by the appropriate governmental  
8 unit, be administered by the community mental health board and  
9 used only for the purposes specified in this Act. Nothing  
10 contained herein shall in any way preclude the use of other  
11 funds available for such purposes under any existing Federal,  
12 State or local statute. Interest earned from moneys deposited  
13 in this Fund shall only be used for purposes which are  
14 authorized by this Act.

15 In any city, village, incorporated town, or township which  
16 levies a tax for the purpose of providing community mental  
17 health facilities and services and part or all of such city,  
18 village, incorporated town, or township is in a county or  
19 township, as the case may be, which levies a tax to provide  
20 community mental health facilities and services under the  
21 provisions of this Act, such county or township, as the case  
22 may be, shall pay to such city, village, incorporated town, or  
23 township, as the case may be, the entire amount collected from  
24 taxes under this Section on property subject to a tax which any  
25 city, village, incorporated town, or township thereof levies to  
26 provide community mental health facilities and services.

1 Whenever any city, village, incorporated town, or township  
 2 receives any payments from a county or township as provided  
 3 above, such city, village, incorporated town, or township shall  
 4 reduce and abate from the tax levied by the authority of this  
 5 Section a rate which would produce an amount equal to the  
 6 amount received from such county or township.

7 (Source: P.A. 88-380.)

8 (405 ILCS 20/5) (from Ch. 91 1/2, par. 305)

9 Sec. 5. When the governing body of a governmental unit  
 10 passes a resolution as provided in Section 4 asking that an  
 11 annual tax may be levied for the purpose of providing such  
 12 mental health facilities and services, including facilities  
 13 and services for the person with a developmental disability or  
 14 a substance use disorder ~~and the substance abuser~~, in the  
 15 community and so instructs the clerk of the governmental unit  
 16 such clerk shall certify the proposition to the proper election  
 17 officials for submission at a regular election in accordance  
 18 with the general election law. The proposition shall be in the  
 19 following form:

20 -----

21 Shall..... (governmental  
 22 unit) levy an annual tax of not to YES  
 23 exceed .15% for the purpose of providing  
 24 community mental health facilities and -----  
 25 services including facilities and services

1 for the person with a developmental NO  
 2 disability or a substance use disorder  
 3 ~~and the substance abuser?~~

4 -----

5 If a majority of all the votes cast upon the proposition  
 6 are for the levy of such tax, the governing ~~governmental~~ body  
 7 of such governmental unit shall thereafter annually levy a tax  
 8 not to exceed the rate set forth in Section 4. Thereafter, the  
 9 governing body shall in the annual appropriation bill  
 10 appropriate from such funds such sum or sums of money as may be  
 11 deemed necessary, based upon the community mental health  
 12 board's budget, the board's annual mental health report, and  
 13 the local mental health plan to defray necessary expenses and  
 14 liabilities in providing for such community mental health  
 15 facilities and services.

16 (Source: P.A. 88-380.)

17 (405 ILCS 20/6) (from Ch. 91 1/2, par. 306)

18 Sec. 6. Whenever the governing body of any governmental  
 19 unit has not provided the community mental health facilities  
 20 and services provided in Section 2 and levied the tax provided  
 21 in Section 4 and a petition signed by electors of the  
 22 governmental unit equal in number to at least 10% of the total  
 23 votes cast for the office which received the greatest total  
 24 number of votes at the last preceding general governmental unit  
 25 election is presented to the clerk of the governmental unit



1 requesting the establishment and maintenance of such community  
2 mental health facilities and services, including facilities  
3 and services for the person with a developmental disability or  
4 a substance use disorder ~~and the substance abuser~~, for  
5 residents thereof and the levy of such an annual tax therefor,  
6 the governing body of the governmental unit, subject to the  
7 provisions of Section 7, shall establish and maintain such  
8 community mental health facilities and services and shall levy  
9 such an annual tax of not to exceed .15% upon all of the  
10 taxable property in such governmental unit at the value  
11 thereof, as equalized or assessed by the Department of Revenue.  
12 Such tax shall be levied and collected in the same manner as  
13 other governmental unit taxes, but shall not be included in any  
14 limitation otherwise prescribed as to the rate or amount of  
15 governmental unit taxes, but shall be in addition thereto and  
16 in excess thereof.

17 When collected, such tax shall be paid into a special fund  
18 to be designated as the "Community Mental Health Fund" which  
19 shall, upon authorization by the appropriate governmental  
20 unit, be administered by the community mental health board and  
21 used only for the purposes specified in this Act. Nothing  
22 contained herein shall in any way preclude the use of other  
23 funds available for such purposes under any existing Federal,  
24 State or local statute. Interest earned from moneys deposited  
25 in this Fund shall only be used for purposes which are  
26 authorized by this Act.

1           In any city, village, incorporated town, or township which  
2 levies a tax for the purpose of providing community mental  
3 health facilities and services and part or all of such city,  
4 village, incorporated town, or township is in a county or  
5 township, as the case may be, which levies a tax to provide  
6 community mental health facilities and services under the  
7 provisions of this Act, such county or township, as the case  
8 may be, shall pay to such city, village, incorporated town, or  
9 township, as the case may be, the entire amount collected from  
10 taxes under this Section on property subject to a tax which any  
11 city, village, incorporated town, or township thereof levies to  
12 provide community mental health facilities and services.

13           Whenever any city, village, incorporated town, or township  
14 receives any payments from a county or township as provided  
15 above, such city, village, incorporated town, or township shall  
16 reduce and abate from the tax levied by the authority of this  
17 Section a rate which would produce an amount equal to the  
18 amount received from such county or township.

19           (Source: P.A. 88-380.)

20           (405 ILCS 20/7) (from Ch. 91 1/2, par. 307)

21           Sec. 7. When the petition provided for in Section 6 is  
22 presented to the clerk of the governmental unit requesting the  
23 establishment and maintenance of such mental health facilities  
24 and services for residents of the community and the levy of  
25 such an annual tax therefor, the clerk of the governmental unit

1 shall certify to the proper election officials the proposition  
2 for the levy of such tax which shall be submitted at a regular  
3 election in accordance with the general election law. The  
4 proposition shall be in substantially the following form:

5 -----

6 Shall.....

7 (governmental unit) establish and

8 maintain community mental health YES

9 facilities and services including

10 facilities and services for the -----

11 person with a developmental

12 disability or a substance NO

13 use disorder ~~and the substance~~

14 ~~abuser~~ and levy therefor an annual

15 tax of not to exceed .15%?

16 -----

17 If a majority of all the votes cast upon the proposition  
18 are in favor thereof, the governing ~~governmental~~ body of such  
19 governmental unit shall establish and maintain such community  
20 mental health facilities and services and shall annually levy  
21 such tax. Thereafter, the governing body shall in the annual  
22 appropriation bill appropriate from such funds such sum or sums  
23 of money as may be deemed necessary, based upon the community  
24 mental health board's budget, the board's annual mental health  
25 report, and the board's plan to defray necessary expenses and  
26 liabilities in providing for such community mental health

1 facilities and services.

2 (Source: P.A. 88-380.)

3 (405 ILCS 20/9) (from Ch. 91 1/2, par. 309)

4 Sec. 9. Whenever electors, equal in number to at least 10%

5 of the total votes cast for the office on which the greatest

6 total number of votes were cast at the last preceding general

7 governmental unit election, of a governmental unit which has

8 adopted the taxing provisions of this Act, present a petition

9 to the clerk of the governmental unit, requesting that the

10 levying of a tax annually in such governmental unit for the

11 purpose of providing community mental health facilities and

12 services be discontinued, the clerk shall certify the

13 proposition to the proper election officials for submission at

14 a regular election in accordance with the general election law.

15 The proposition shall be substantially in the following form:

16 -----

17 Shall.... (governmental unit)

18 discontinue the levying of an annual tax for YES

19 the purpose of providing community mental

20 health facilities and services including -----

21 facilities and services for the

22 person with a developmental disability NO

23 or a substance use disorder and

24 ~~the substance abuser?~~

25 -----

1           If a majority of all the votes cast upon the proposition  
2 are for the discontinuance of the levying of such tax, the  
3 governing body of the governmental unit shall not thereafter  
4 levy such a tax unless a proposition authorizing such levy  
5 again receives a majority of all the votes cast upon the  
6 proposition as provided in Sections 5 and 7 of this Act.

7           (Source: P.A. 88-380.)

8           (405 ILCS 20/10) (from Ch. 91 1/2, par. 310)

9           Sec. 10. Whenever the board and the governing body of a  
10 governmental unit by resolution determines that it is necessary  
11 to issue bonds of the governmental unit to enable it to provide  
12 buildings for or to make permanent improvements in the  
13 community mental health facilities, including facilities for  
14 the person with a developmental disability or a substance use  
15 disorder ~~and the substance abuser~~, the governing body shall so  
16 instruct the clerk of the governmental unit. Thereupon, such  
17 clerk shall certify the proposition to the proper election  
18 officials who shall submit the proposition at a regular  
19 election in accordance with the general election law. However,  
20 before such resolution is adopted, a report must be filed with  
21 the board and the governing body by the Department of Human  
22 Services ~~and the regional Health Systems Agency~~ as to the  
23 advisability of any proposed building or of any proposed  
24 permanent improvements in existing facilities.

25           (Source: P.A. 88-380; 89-507, eff. 7-1-97.)

1 (405 ILCS 20/11) (from Ch. 91 1/2, par. 311)

2 Sec. 11. The proposition pursuant to Section 10 shall be in  
3 the following form:

4 -----

5 Shall the.... (governmental unit) issue  
6 bonds to the amount of.... dollars for the  
7 purpose of enabling the governmental unit YES  
8 to.... (purpose to be stated, which shall  
9 be either to provide buildings for or to -----  
10 make permanent improvements in the community  
11 mental health facilities including facilities NO  
12 for the person with a developmental  
13 disability or a substance use disorder  
14 ~~and the substance abuser~~)?

15 -----

16 In case a majority of the votes cast upon the propositions  
17 shall be in favor of the issuance of such bonds, ~~+~~ the governing  
18 body of the governmental unit shall issue the bonds of the  
19 governmental unit not exceeding the amount authorized at the  
20 referendum. Such bonds shall become due not more than 40 years  
21 after their date, shall be in denominations of \$100 or any  
22 multiple thereof, and shall bear interest, evidenced by  
23 coupons, payable semi-annually, as shall be determined by the  
24 governing body.

25 (Source: P.A. 88-380.)

1           (405 ILCS 20/8.5 rep.)

2           Section 10. The Community Mental Health Act is amended by  
3   repealing Section 8.5.

4           Section 99. Effective date. This Act takes effect upon  
5   becoming law.

1		INDEX
2		Statutes amended in order of appearance
3	405 ILCS 20/1	from Ch. 91 1/2, par. 301
4	405 ILCS 20/2	from Ch. 91 1/2, par. 302
5	405 ILCS 20/3a	from Ch. 91 1/2, par. 303a
6	405 ILCS 20/3e	from Ch. 91 1/2, par. 303e
7	405 ILCS 20/3f	from Ch. 91 1/2, par. 303f
8	405 ILCS 20/4	from Ch. 91 1/2, par. 304
9	405 ILCS 20/5	from Ch. 91 1/2, par. 305
10	405 ILCS 20/6	from Ch. 91 1/2, par. 306
11	405 ILCS 20/7	from Ch. 91 1/2, par. 307
12	405 ILCS 20/9	from Ch. 91 1/2, par. 309
13	405 ILCS 20/10	from Ch. 91 1/2, par. 310
14	405 ILCS 20/11	from Ch. 91 1/2, par. 311
15	405 ILCS 20/8.5 rep.	