

SB2342



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2342

Introduced 2/14/2008, by Sen. A. J. Wilhelmi

SYNOPSIS AS INTRODUCED:

35 ILCS 200/27-45

Amends the Property Tax Code. Authorizes the issuance of refunding bonds for special service area bonds and sets forth requirements for the term and debt service of the refunding bonds. Provides that specified property taxes in 2 or more special service areas may be pledged to secure a single bond issue benefitting the special service areas if those special service areas are within the corporate limits of a municipality. Effective immediately.

LRB095 19763 HLH 46136 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning revenue.

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

4 Section 5. The Property Tax Code is amended by changing
5 Section 27-45 as follows:

6 (35 ILCS 200/27-45)

7 Sec. 27-45. Issuance of bonds. Bonds secured by the full
8 faith and credit of the area included in the special service
9 area may be issued for providing the special services. Bonds,
10 when so issued, shall be retired by the levy of taxes in
11 addition to the taxes specified in Section 27-25 against all of
12 the taxable real property included in the area as provided in
13 the ordinance authorizing the issuance of the bonds or by the
14 imposition of another tax within the special service area. The
15 county clerk shall annually extend taxes against all of the
16 taxable property situated in the county and contained in such
17 special service area in amounts sufficient to pay maturing
18 principal and interest of those bonds without limitation as to
19 rate or amount and in addition to and in excess of any taxes
20 that may now or hereafter be authorized to be levied by the
21 municipality or county. Prior to the issuance of those bonds,
22 notice shall be given and a hearing shall be held pursuant to
23 the provisions of Sections 27-30 and 27-35. For purposes of

1 this Section a notice shall include:

2 (a) The time and place of hearing;

3 (b) The boundaries of the area by legal description
4 and, where possible, by street location;

5 (c) The permanent tax index number of each parcel
6 located within the area;

7 (d) The nature of the special services to be provided
8 within the proposed special service area and a statement as
9 to whether the proposed special services are for new
10 construction, maintenance, or other purposes;

11 (e) If the special services are to be maintained other
12 than by the municipality or the county after the life of
13 the bonds, then a statement indicating who will be
14 responsible for maintenance of the special services after
15 the life of the bonds;

16 (f) A notification that all interested persons,
17 including all persons owning taxable property located
18 within the special service area, will be given an
19 opportunity to be heard at the hearing regarding the
20 issuance of the bonds and an opportunity to file objections
21 to the issuance of the bonds; and

22 (g) The maximum amount of bonds proposed to be issued,
23 the maximum period of time over which the bonds will be
24 retired, and the maximum interest rate the bonds will bear.

25 The question of the creation of a special service area, the
26 levy or imposition of a tax in the special service area and the

1 issuance of bonds for providing special services may all be
2 considered together at one hearing.

3 Any bonds issued shall not exceed the number of bonds, the
4 interest rate and the period of extension set forth in the
5 notice, unless an additional hearing is held.

6 Special service area bonds may be issued to refund or
7 advance refund special service area bonds without meeting any
8 of the conditions set forth in this Section, except that the
9 term of the refunding bonds may not be longer than the term of
10 the refunded bonds and the debt service payable in any year on
11 the refunding bonds may not exceed the debt service payable in
12 that year on the refunded bonds.

13 Property taxes levied under the provisions of Section 27-75
14 of this Code in 2 or more special service areas established
15 under this Article 27 may be pledged to secure a single bond
16 issue benefitting the special service areas if those special
17 service areas are within the corporate limits of a
18 municipality. The changes made by this amendatory Act of the
19 95th General Assembly do not change any other terms, duties, or
20 powers of a special service area under this Article.

21 Bonds issued pursuant to this Article shall not be regarded
22 as indebtedness of the municipality or county, as the case may
23 be, for the purpose of any limitation imposed by any law.

24 (Source: P.A. 93-1013, eff. 8-24-04.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.