



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB3947

Introduced 2/26/2009, by Rep. Elizabeth Coulson - Suzanne Bassi - Jim Durkin - Rosemary Mulligan - Michael P. McAuliffe, et al.

#### SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-1005.7 new  
65 ILCS 5/8-11-25 new

Amends the Counties Code and the Illinois Municipal Code. Provides that home rule counties and municipalities with more than 500,000 inhabitants may not adopt an ordinance or resolution making an appropriation or containing a substantial tax increase unless (i) a copy of that ordinance or resolution, in its final form, has been made conveniently available on the county or municipality's Internet website for at least 7 days before the bill is considered for final passage and (ii) notice of the ordinance is given by publication in a newspaper of general circulation in the county or municipality not less than 7 nor more than 30 days before the ordinance or resolution is considered for final passage. Provides that, by a motion adopted by a record vote of at least three-fifths of the members elected, the county board or corporate authorities of the municipality may provide that those restrictions do not apply with respect to any one or more ordinances or resolutions specified in the motion. Defines "substantial tax increase" as an aggregate increase in one or more State taxes that will result in increased revenues that are equal to 1% or more of the most recently adopted county or municipal budget. Preempts home rule powers. Effective immediately.

LRB096 04885 RLJ 14951 b

FISCAL NOTE ACT  
MAY APPLY

HOME RULE NOTE  
ACT MAY APPLY

HOUSING  
AFFORDABILITY  
IMPACT NOTE ACT  
MAY APPLY

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 Counties Code is amended by adding Section  
5 5-1005.7 as follows:

6 (55 ILCS 5/5-1005.7 new)

7 Sec. 5-1005.7. Public availability requirement for  
8 appropriations and tax increases.

9 (a) A home rule county may not adopt an ordinance or  
10 resolution making an appropriation or containing a substantial  
11 tax increase unless (i) a copy of that ordinance or resolution,  
12 in its final form, has been made conveniently available to the  
13 public on the county's Internet website for at least 7 calendar  
14 days before the ordinance or resolution is considered for final  
15 passage and (ii) notice of the ordinance is given by  
16 publication in a newspaper of general circulation in the county  
17 not less than 7 nor more than 30 days before the ordinance or  
18 resolution is considered for final passage.

19 (b) Upon a motion adopted by a record vote of at least  
20 three-fifths of the members elected, the county board may  
21 provide that the restrictions set forth in subsection (a) do  
22 not apply with respect to any one or more ordinances or  
23 resolutions specified in the motion.

1       (c) For the purpose of this Section, "substantial tax  
2 increase" means an aggregate increase in one or more county  
3 taxes that will result in increased revenues that are equal to  
4 1% or more of the most recently adopted county budget.

5       (d) This Section is a denial and limitation of home rule  
6 powers and functions under subsection (g) of Section 6 of  
7 Article VII of the Illinois Constitution.

8       Section 10. The Illinois Municipal Code is amended by  
9 adding Section 8-11-25 as follows:

10       (65 ILCS 5/8-11-25 new)

11       Sec. 8-11-25. Substantial tax increases; referenda  
12 required.

13       (a) A municipality with more than 500,000 inhabitants may  
14 not adopt an ordinance or resolution making an appropriation or  
15 containing a substantial tax increase unless (i) a copy of that  
16 ordinance or resolution, in its final form, has been made  
17 conveniently available to the public on the municipality's  
18 Internet website for at least 7 calendar days before the  
19 ordinance or resolution is considered for final passage and  
20 (ii) notice of the ordinance is given by publication in a  
21 newspaper of general circulation in the municipality not less  
22 than 7 nor more than 30 days before the ordinance or resolution  
23 is considered for final passage.

24       (b) Upon a motion adopted by a record vote of at least

1 three-fifths of the members elected, the corporate authorities  
2 of the municipality may provide that the restrictions set forth  
3 in subsection (a) do not apply with respect to any one or more  
4 ordinances or resolutions specified in the motion.

5 (c) For the purpose of this Section, "substantial tax  
6 increase" means an aggregate increase in one or more county  
7 taxes that will result in increased revenues that are equal to  
8 1% or more of the most recently adopted municipal budget.

9 (d) This Section is a denial and limitation of home rule  
10 powers and functions under subsection (g) of Section 6 of  
11 Article VII of the Illinois Constitution.

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law.