



State Government Administration Committee

Filed: 2/24/2010

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LRB096 14919 HLH 36444 a

1 AMENDMENT TO HOUSE BILL 4639

2 AMENDMENT NO. _____. Amend House Bill 4639 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Conservation District Act is amended by
5 changing Section 15 as follows:

6 (70 ILCS 410/15) (from Ch. 96 1/2, par. 7116)

7 Sec. 15. (a) Whenever a district does not have sufficient
8 money in its treasury to meet all necessary expenses and
9 liabilities thereof, it may issue tax anticipation warrants.
10 Such issue of tax anticipation warrants shall be subject to the
11 provisions of Section 2 of "An Act to provide for the manner of
12 issuing warrants upon the treasurer of the State or of any
13 county, township, or other municipal corporation or quasi
14 municipal corporation, or of any farm drainage district, river
15 district, drainage and levee district, fire protection
16 district and jurors' certificates", approved June 27, 1913, as

1 now and hereafter amended.

2 (b) For the purpose of acquisition of real property, or
3 rights thereto, a district may incur indebtedness and, as
4 evidence of the indebtedness thus created, may issue and sell
5 bonds without first obtaining the consent of the legal voters
6 of the district.

7 (c) For the purpose of development of real property, a
8 district may incur indebtedness and, as evidence of the
9 indebtedness thus created, may issue and sell bonds only after
10 the proposition to issue bonds has been submitted to the legal
11 voters of the district at an election and has been approved by
12 a majority of those voting on the proposition. Such election is
13 subject to Section 15.1 of this Act.

14 (d) No district shall become indebted in any manner or for
15 any purpose, to any amount including existing indebtedness in
16 the aggregate exceeding 0.575% of the value, as equalized or
17 assessed by the Department of Revenue, of the taxable property
18 therein; except that a district entirely within a county of
19 under 750,000 inhabitants and contiguous to a county of more
20 than 2,000,000 inhabitants may incur indebtedness, including
21 existing indebtedness, in the aggregate not exceeding 1.725% of
22 that value if the aggregate indebtedness over 0.575% is
23 submitted to the legal voters of the district at an election
24 and is approved by a majority of those voting on the
25 proposition as provided in Section 15.1.

26 (e) Before or at the time of issuing bonds for acquisition

1 or development of real property, the district shall provide by
2 ordinance for the collection of an annual tax, in addition to
3 all other taxes authorized by this act, sufficient to pay such
4 bonds and the interest thereon as the same respectively become
5 due. Such bonds shall be divided into series, the first of
6 which shall mature not later than 5 years after the date of
7 issue and the last of which shall mature not later than 25 ~~20~~
8 years after the date of issue; shall bear interest at a rate or
9 rates not exceeding the maximum rate permitted in "An Act to
10 authorize public corporations to issue bonds, other evidences
11 of indebtedness and tax anticipation warrants subject to
12 interest rate limitations set forth therein", approved May 26,
13 1970, as now or hereafter amended; shall be in such form as the
14 district shall by resolution provide and shall be payable as to
15 both principal and interest from the proceeds of the annual
16 levy of taxes authorized to be levied by this Section, or so
17 much thereof as will be sufficient to pay the principal thereof
18 and the interest thereon. Prior to the authorization and
19 issuance of such bonds the district may, with or without
20 notice, negotiate and enter into an agreement or agreements
21 with any bank, investment banker, trust company or insurance
22 company or group thereof whereunder the marketing of such bonds
23 may be assured and consummated. The proceeds of such bonds
24 shall be deposited in a special fund, to be kept separate and
25 apart from all other funds of the conservation district.

26 (Source: P.A. 94-617, eff. 8-18-05.)

1 Section 10. The Downstate Forest Preserve District Act is
2 amended by changing Section 13 as follows:

3 (70 ILCS 805/13) (from Ch. 96 1/2, par. 6323)

4 Sec. 13. Bonds; limitation on indebtedness. The board of
5 any forest preserve district organized hereunder may, for any
6 of the purposes enumerated in this Act, borrow money upon the
7 faith and credit of such district, and may issue bonds
8 therefor. However, a district with a population of less than
9 3,000,000 may not become indebted in any manner or for any
10 purpose to an amount including existing indebtedness in the
11 aggregate exceeding 2.3% of the assessed value of the taxable
12 property therein, as ascertained by the last equalized
13 assessment for State and county purposes. No district may incur
14 (i) indebtedness in excess of .3% of the assessed value of
15 taxable property in the district, as ascertained by the last
16 equalized assessment for State and county purposes, for the
17 development of forest preserve lands held by the district, or
18 (ii) indebtedness for any other purpose except the acquisition
19 of land including acquiring lands in fee simple along or
20 enclosing water courses, drainage ways, lakes, ponds, planned
21 impoundments or elsewhere which are required to store flood
22 waters or control other drainage and water conditions necessary
23 for the preservation and management of the water resources of
24 the District, unless the proposition to issue bonds or

1 otherwise incur indebtedness is certified by the board to the
2 proper election officials who shall submit the proposition at
3 an election in accordance with the general election law, and
4 approved by a majority of those voting upon the proposition. No
5 district containing fewer than 3,000,000 inhabitants may incur
6 indebtedness for the acquisition of land or lands for any
7 purpose in excess of 55,000 acres, including all lands
8 theretofore acquired, unless the proposition to issue bonds or
9 otherwise incur indebtedness is first submitted to the voters
10 of the district at a referendum in accordance with the general
11 election law and approved by a majority of those voting upon
12 the proposition. Before or at the time of issuing bonds, the
13 board shall provide by ordinance for the collection of an
14 annual tax sufficient to pay the interest on the bonds as it
15 falls due, and to pay the bonds as they mature. All bonds
16 issued by any forest preserve district must be divided into
17 series, the first of which matures not later than 5 years after
18 the date of issue and the last of which matures not later than
19 25 ~~20~~ years after the date of issue, or for bonds issued prior
20 to January 1, 2011, commonly known as "Build America Bonds" as
21 authorized by Section 54AA of the Internal Revenue Code of
22 1986, as amended, and for bonds issued from time to time to
23 refund "Build America Bonds", not later than 25 years after the
24 date of issue.

25 This Section does not apply to a forest preserve district
26 created under Section 18.5 of the Conservation District Act.

1 (Source: P.A. 96-828, eff. 12-2-09.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.".