

HB4757



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB4757

Introduced 1/11/2010, by Rep. Michael W. Tryon

SYNOPSIS AS INTRODUCED:

70 ILCS 3715/1

from Ch. 111 2/3, par. 223

Amends the Water Authorities Act. Provides that if specified territory is located within a county that has adopted a groundwater protection ordinance, then the territory may not be incorporated as a water authority or be annexed to an existing water authority. Effective immediately.

LRB096 16436 RLJ 31703 b

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 Water Authorities Act is amended by changing
5 Section 1 as follows:

6 (70 ILCS 3715/1) (from Ch. 111 2/3, par. 223)

7 Sec. 1. Incorporation.

8 (a) Any area of contiguous territory may be incorporated as
9 a water authority in the following manner: Not less than 500
10 legal voters of the proposed authority shall petition the
11 circuit court for the county in which the proposed authority,
12 or the major portion thereof, is located defining the
13 boundaries of the proposed authority, stating its name and
14 requesting that the question of whether the proposed territory
15 shall be organized as a water authority be submitted to the
16 legal voters of the proposed authority.

17 Upon the filing of such petition, the court shall set a day
18 for a public hearing thereon. Notice of the time and place of
19 such hearing shall be given by publication in a newspaper
20 having a general circulation in said proposed authority not
21 less than 15 days prior to such hearing and if there is no such
22 newspaper then such notice shall be posted in at least 10
23 public places within such proposed authority not less than 15

1 days before such hearing.

2 The court shall preside at such hearing and all persons
3 residing within such proposed authority shall be given an
4 opportunity to be heard concerning the location and boundaries
5 thereof and to make suggestions regarding the same. The
6 petitioners may authorize and designate one or more persons to
7 represent them at such hearing with authority to amend, dismiss
8 or withdraw the petition. Such hearing may be continued from
9 time to time and the court may modify or amend the petition.

10 The court shall enter an order fixing and determining the
11 boundaries of such proposed authority and shall certify the
12 proposition to the proper election officials, who shall submit
13 to the legal voters thereof at an election thereafter the
14 question of whether the proposed authority be organized and
15 established as a water authority pursuant to the provisions of
16 this Act. Notice of such election shall be given and the
17 election conducted in the manner provided by the general
18 election law. Such notice shall state a description of the
19 territory to be included. The proposition shall be
20 substantially as follows:

21 -----

22 For organization of water authority

23 -----

24 Against organization of water authority

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26 (b) Notwithstanding any provision of law to the contrary,

1 if the territory is located within a county that has adopted a
2 groundwater protection ordinance, then the territory may not be
3 incorporated as a water authority or be annexed to an existing
4 water authority.

5 (Source: P.A. 81-1489.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.