



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5763

Introduced 2/9/2010, by Rep. Dan Reitz

SYNOPSIS AS INTRODUCED:

605 ILCS 5/5-604

from Ch. 121, par. 5-604

Amends the Illinois Highway Code. Deletes the requirement that both a petition and notice of referendum designate the number of years, not exceeding 5 years, a special tax for the purpose of constructing or repairing county highways, assisting one or more road districts in the county to the extent of 25% of the cost of the construction or repair of township or district roads, or for both purposes may be levied by a county.

LRB096 16918 AJT 32231 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 Illinois Highway Code is amended by changing
5 Section 5-604 as follows:

6 (605 ILCS 5/5-604) (from Ch. 121, par. 5-604)

7 Sec. 5-604. The county board of any county, pursuant to a
8 petition and after referendum approval as required in this
9 Section, may levy a special tax for the purpose of (1)
10 constructing or repairing county highways or (2) assisting one
11 or more road districts in the county to the extent of 25% of
12 the cost of the construction or repair of township or district
13 roads or (3) for both of such purposes. Such tax shall not be
14 included within any statutory rate or amount for other county
15 purposes but shall be excluded therefrom and be in addition
16 thereto and in excess thereof.

17 Upon receipt of a petition from 100 or more landowners who
18 are legal voters in any county the county clerk shall submit at
19 the next general election for county officers, or at a regular
20 election, the question of extending a special tax against all
21 taxable property in the county for the purpose or purposes and
22 in the manner stated in the petition. The county clerk shall
23 give notice of such referendum and shall submit the proposition

1 in accordance with the general election law of the State. Both
 2 the petition and the notice of referendum shall designate (1)
 3 the particular county highway or county highways to be improved
 4 or the road district or districts to be so assisted or both and
 5 ~~7~~ (2) the maximum annual rate percent not exceeding .0833% of
 6 the value of the taxable property as equalized or assessed by
 7 the Department of Revenue at which such tax may be extended ~~and~~
 8 ~~(3) the number of years, not exceeding 5 years, during which~~
 9 ~~such tax may be levied.~~

10 The proposition shall be in substantially the following
 11 form:

12 -----
 13 Shall a special YES
 14 tax for highway purposes -----
 15 be levied in.... County? NO
 16 -----

17 If a majority of all ballots cast on such question is in
 18 favor of such tax levy, the county board shall levy and the
 19 county clerk shall extend such tax ~~for the number of years~~
 20 ~~stated in the petition~~ and the proceeds of such tax shall be
 21 used for the purpose or purposes stated in the petition.

22 (Source: P.A. 85-527.)