

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 Property Tax Code is amended by changing  
5 Section 20-25 as follows:

6 (35 ILCS 200/20-25)

7 Sec. 20-25. Forms of payment.

8 (a) Taxes levied by taxing districts may be satisfied by  
9 payment in legal money of the United States, cashier's check,  
10 certified check, post office money order, bank money order  
11 issued by a national or state bank that is insured by the  
12 Federal Deposit Insurance Corporation, or by a personal or  
13 corporate check drawn on such a bank, to the respective  
14 collection officers who are entitled by law to receive the tax  
15 payments or by credit card in accordance with the Local  
16 Governmental Acceptance of Credit Cards Act. A county collector  
17 may refuse to accept a personal check within 30 days before a  
18 tax sale.

19 (b) Beginning on January 1, 2012, subject to compliance  
20 with all applicable purchasing requirements, a county with a  
21 population of more than 3,000,000 is required to accept payment  
22 by credit card for each installment of property taxes; provided  
23 that all service charges or fees, as determined by the county,

1 associated with the processing or accepting of a credit card  
2 payment by the county shall be paid by the taxpayer. If a  
3 taxpayer elects to make a property tax payment by credit card  
4 and a service charge or fee is imposed, the payment of that  
5 service charge or fee shall be deemed voluntary by the taxpayer  
6 and shall not be refundable. Nothing in this subsection  
7 requires a county with a population of more than 3,000,000 to  
8 accept payment by credit card for the payment on any  
9 installment of taxes that is delinquent under Section 21-10,  
10 21-25, or 21-30 of the Property Tax Code or for the purposes of  
11 any tax sale or scavenger sale under Division 3.5, 4, or 5 of  
12 Article 21 of the Property Tax Code. A county that accepts  
13 payment of property taxes by credit card in accordance with the  
14 terms of this subsection shall not incur liability for or  
15 associated with the collection of a property tax payment by  
16 credit card. The public hearing requirement of subsection (a)  
17 of Section 20 of the Local Governmental Acceptance of Credit  
18 Cards Act shall not apply to this subsection. This subsection  
19 is a limitation under subsection (i) of Section 6 of Article  
20 VII of the Illinois Constitution on the concurrent exercise by  
21 home rule units of powers and functions exercised by the State.  
22 (Source: P.A. 90-518, eff. 8-22-97.)

23 Section 7. The Local Government Acceptance of Credit Cards  
24 Act is amended by changing Section 20 as follows:

1 (50 ILCS 345/20)

2 Sec. 20. Election by local governmental entities to accept  
3 credit cards.

4 (a) The decision whether to accept credit card payments for  
5 any particular type of obligation shall be made by the  
6 governing body of the local governmental entity that has  
7 general discretionary authority over the manner of acceptance  
8 of payments. The governing body may adopt reasonable rules  
9 governing the manner of acceptance of payments by credit card.  
10 Except as provided in subsection (b) of Section 20-25 of the  
11 Property Tax Code, no ~~No~~ decision to accept credit card  
12 payments under this Act shall be made until the governing body  
13 has determined, following a public hearing held not sooner than  
14 10 nor later than 30 days following public notice of the  
15 hearing, that the acceptance of credit card payments for the  
16 types of authorized obligations specified in the public notice  
17 is in the best interests of the citizens and governmental  
18 administration of the local governmental entity or community  
19 college and of the students and taxpayers thereof.

20 (b) The governing body of the entity accepting payment by  
21 credit card may enter into agreements with one or more  
22 financial institutions or other service providers to  
23 facilitate the acceptance and processing of credit card  
24 payments. Such agreements shall identify the specific services  
25 to be provided, an itemized list of the fees charged, and the  
26 means by which each such fee shall be paid. Such agreements may

1 include a discount fee to cover the costs of interchange,  
2 assessments and authorizations, a per item processing fee for  
3 the service provider, and any other fee, including a payment of  
4 a surcharge or convenience fee, that may be applicable to  
5 specific circumstances. Any agreement for acceptance of  
6 payments by credit cards may be canceled by the governmental  
7 entity upon giving reasonable notice of intent to cancel.

8 (c) An entity accepting payments by credit card may pay  
9 amounts due a financial institution or other service provider  
10 by (i) paying the financial institution or other service  
11 provider upon presentation of an invoice or (ii) allowing the  
12 financial institution or other service provider to withhold the  
13 amount of the fees from the credit card payment. A discount or  
14 processing fee may be authorized whenever the governing body of  
15 the entity determines that any reduction of revenue resulting  
16 from the discount or processing fee will be in the best  
17 interest of the entity. Items that may be considered in making  
18 a determination to authorize the payment of fees or the  
19 acceptance of a discount include, but are not limited to,  
20 improved governmental cash flows, reduction of governmental  
21 overhead, improved governmental financial security, a  
22 combination of these items, and the benefit of increased public  
23 convenience. No payment to or withheld by a financial  
24 institution or other service provider may exceed the amounts  
25 authorized under subsection (b) of Section 25.

26 (d) Unless specifically prohibited by an ordinance or rule

1 adopted by the governing body of the local governmental entity,  
2 a person may pay multiple tax bills in a single transaction.  
3 (Source: P.A. 90-518, eff. 8-22-97.)

4 Section 10. The State Mandates Act is amended by adding  
5 Section 8.34 as follows:

6 (30 ILCS 805/8.34 new)

7 Sec. 8.34. Exempt mandate. Notwithstanding Sections 6 and 8  
8 of this Act, no reimbursement by the State is required for the  
9 implementation of any mandate created by this amendatory Act of  
10 the 96th General Assembly.

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