

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.