



Sen. Dan Cronin

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1 AMENDMENT TO SENATE BILL 580

2 AMENDMENT NO. _____. Amend Senate Bill 580 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by changing
5 Sections 5-1012 and 5-1024 and by adding the heading of Div.
6 5-43 and Sections 5-43000, 5-43005, 5-43010, 5-43015, 5-43020,
7 5-43025, 5-43030, 5-43035, and 5-43040 as follows:

8 (55 ILCS 5/5-1012) (from Ch. 34, par. 5-1012)

9 Sec. 5-1012. Issuance of county bonds. When the county
10 board of any county deems it necessary to issue county bonds to
11 enable them to perform any of the duties imposed upon them by
12 law, they may, by an order, entered of record, specifying the
13 amount of bonds required, and the object for which they are to
14 be issued, submit to the legal voters of their county, at any
15 election, the question of issuing such county bonds. The county
16 board shall certify the question to the proper election

1 officials who shall submit the question at an election in
2 accordance with the general election law. The amount of the
3 bonds so issued shall not exceed, including the then existing
4 indebtedness of the county, 5.75% of the value of such taxable
5 property of such county, as ascertained by the assessment for
6 the State and county tax for the preceding year or, until
7 January 1, 1983, if greater, the sum that is produced by
8 multiplying the county's 1978 equalized assessed valuation by
9 the debt limitation percentage in effect on January 1, 1979.
10 For the purposes of calculating the rate limitation, the amount
11 of any bonds or indebtedness transferred to a county under the
12 Water Commission Act of 1985 pursuant to this amendatory Act of
13 the 96th General Assembly shall be excluded. The proposition
14 shall be in substantially the following form: "For county
15 bonds", or "Against county bonds", and if a majority of the
16 votes on that question shall be "For county bonds", such county
17 board may issue such bonds in such denominations as the county
18 board may determine of not less than \$25 each, payable
19 respectively, in not less than one, nor more than 20 years,
20 with interest payable annually or semi-annually, at the rate of
21 not more than the greater of (i) the maximum rate authorized by
22 the Bond Authorization Act, as amended at the time of the
23 making of the contract, or (ii) 8% per annum. This Section
24 shall not require submission to the voters of the county of
25 bond issues authorized to be issued without such submission to
26 the voters under Section 5-1027 or 5-1062 or under Division

1 5-33, 6-6, 6-8 or 6-27 of this Code.

2 With respect to instruments for the payment of money issued
3 under this Section or its predecessor either before, on, or
4 after the effective date of Public Act 86-4, it is and always
5 has been the intention of the General Assembly (i) that the
6 Omnibus Bond Acts are and always have been supplementary grants
7 of power to issue instruments in accordance with the Omnibus
8 Bond Acts, regardless of any provision of this Act or "An Act
9 to revise the law in relation to counties", approved March 31,
10 1874, that may appear to be or to have been more restrictive
11 than those Acts, (ii) that the provisions of this Section or
12 its predecessor are not a limitation on the supplementary
13 authority granted by the Omnibus Bond Acts, and (iii) that
14 instruments issued under this Section or its predecessor within
15 the supplementary authority granted by the Omnibus Bond Acts
16 are not invalid because of any provision of this Act or "An Act
17 to revise the law in relation to counties", approved March 31,
18 1874, that may appear to be or to have been more restrictive
19 than those Acts.

20 (Source: P.A. 90-655, eff. 7-30-98.)

21 (55 ILCS 5/5-1024) (from Ch. 34, par. 5-1024)

22 Sec. 5-1024. Taxes. A county board may cause to be levied
23 and collected annually, except as hereinafter provided, taxes
24 for county purposes, including all purposes for which money may
25 be raised by the county by taxation, in counties having 80,000

1 or more but less than 3,000,000 inhabitants at a rate not
2 exceeding .25%, of the value as equalized or assessed by the
3 Department of Revenue; in counties with less than 80,000 but
4 more than 15,000 inhabitants at a rate not exceeding .27%, of
5 the value as equalized or assessed by the Department of
6 Revenue; in counties with less than 80,000 inhabitants which
7 have authorized a tax by referendum under Section 7-2 of the
8 Juvenile Court Act prior to the effective date of this
9 amendatory Act of 1985, at a rate not exceeding .32%, of the
10 value as equalized or assessed by the Department of Revenue;
11 and in counties with 15,000 or fewer inhabitants at a rate not
12 exceeding .37%, of the value as equalized or assessed by the
13 Department of Revenue; and in counties having 3,000,000 or more
14 inhabitants for each even numbered year, subject to the
15 abatement requirements hereinafter provided, at a rate not
16 exceeding .39% of the value, as equalized or assessed by the
17 Department of Revenue, and for each odd numbered year, subject
18 to the abatement requirements hereinafter provided, at a rate
19 not exceeding .35% of the value as equalized or assessed by the
20 Department of Revenue, except taxes for the payment of interest
21 on and principal of bonded indebtedness heretofore duly
22 authorized for the construction of State aid roads in the
23 county as defined in "An Act to revise the law in relation to
24 roads and bridges", approved June 27, 1913, or for the
25 construction of county highways as defined in the Illinois
26 Highway Code, and except taxes for the payment of interest on

1 and principal of bonded indebtedness duly authorized without a
2 vote of the people of the county, and except taxes authorized
3 as additional by a vote of the people of the county, and except
4 taxes for working cash fund purposes, and except taxes as
5 authorized by Sections 5-601, 5-602, 5-603, 5-604 and 6-512 of
6 the Illinois Highway Code, and except taxes authorized under
7 Section 7 of the Village Library Act, and except taxes levied
8 to pay the annual rent payments due under a lease entered into
9 by the county with a Public Building Commission as authorized
10 by Section 18 of the Public Building Commission Act, and except
11 taxes levied under Division 6-3, and except taxes levied for
12 general assistance for needy persons in counties under
13 commission form of government and except taxes levied under the
14 County Care for Persons with Developmental Disabilities Act,
15 and except taxes levied under the Community Mental Health Act,
16 and except taxes levied under Section 5-1025 to pay the
17 expenses of elections and except taxes levied under "An Act to
18 provide the manner of levying or imposing taxes for the
19 provision of special services to areas within the boundaries of
20 home rule units and non-home rule municipalities and counties",
21 approved September 21, 1973, and except taxes levied under
22 Section 3a of the Revenue Act of 1939 for the purposes of
23 helping to pay for the expenses of the assessor's office, and
24 except taxes levied under Division 5-21, and except taxes
25 levied pursuant to Section 19 of "The Illinois Emergency
26 Services and Disaster Agency Act of 1975", as now or hereafter

1 amended, and except taxes levied pursuant to Division 5-23, and
2 except taxes levied under Section 5 of the County Shelter Care
3 and Detention Home Act, and except taxes levied under the
4 Children's Advocacy Center Act, and except taxes levied under
5 Section 9-107 of the Local Governmental and Governmental
6 Employees Tort Immunity Act, and except taxes levied under
7 Section 2 of the Water Commission Act of 1985.

8 Those taxes a county has levied and excepted from the rate
9 limitation imposed by this Section or Section 25.05 of "An Act
10 to revise the law in relation to counties", approved March 31,
11 1874, in reliance on this amendatory Act of 1994 are not
12 invalid because of any provision of this Section that may be
13 construed to or may have been construed to restrict or limit
14 those taxes levied and those taxes are hereby validated. This
15 validation of taxes levied applies to all cases pending on or
16 after the effective date of this amendatory Act of 1994.

17 Nothing contained in this amendatory Act of 1994 shall be
18 construed to affect the application of the Property Tax
19 Extension Limitation Law.

20 Any tax levied for general assistance for needy persons in
21 any county in addition to and in excess of the maximum levy
22 permitted by this Section for general county purposes shall be
23 paid into a special fund in the county treasury and used only
24 for the purposes for which it is levied except that any excess
25 in such fund over the amount needed for general assistance may
26 be used for County Nursing Home purposes and shall not exceed

1 .10% of the value, as equalized or assessed by the Department
2 of Revenue. Any taxes levied for general assistance pursuant to
3 this Section may also be used for the payment of warrants
4 issued against and in anticipation of such taxes and accrued
5 interest thereon and may also be used for the payment of costs
6 of administering such general assistance.

7 In counties having 3,000,000 or more inhabitants, taxes
8 levied for any year for any purpose or purposes, except amounts
9 levied for the payment of bonded indebtedness or interest
10 thereon and for pension fund purpose, and except taxes levied
11 to pay the annual rent payments due under a lease entered into
12 by the county with a Public Building Commission as authorized
13 by Section 18 of the Public Building Commission Act, are
14 subject to the limitation that they shall not exceed the
15 estimated amount of taxes to be levied for the year for the
16 purpose or purposes as determined in accordance with Section
17 6-24001 and set forth in the annual appropriation bill of the
18 county and in ascertaining the rate per cent that will produce
19 the amount of any tax levied in any county, the county clerk
20 shall not add to the tax or rate any sum or amount to cover the
21 loss and cost of collecting the tax, except in the case of
22 amounts levied for the payment of bonded indebtedness or
23 interest thereon, and in the case of amounts levied for pension
24 fund purposes, and except taxes levied to pay the annual rent
25 payments due under a lease entered into by the county with a
26 Public Building Commission as authorized by Section 18 of the

1 Public Building Commission Act.

2 In counties having a population of 3,000,000 or more
3 inhabitants, the county clerk shall in each even numbered year,
4 before extending the county tax for the year, reduce the levy
5 for county purposes for the year (exclusive of levies for
6 payment of indebtedness and payment of interest on and
7 principal of bonded indebtedness as aforesaid, and exclusive of
8 county highway taxes as aforesaid, and exclusive of pension
9 fund taxes, and except taxes levied to pay the annual rent
10 payments due under a lease entered into by the county with a
11 Public Building Commission as authorized by Section 18 of the
12 Public Building Commission Act) in the manner described and in
13 an amount to be determined as follows: If the amount received
14 from the collection of the tax levied in the last preceding
15 even numbered year for county purposes as aforesaid, as shown
16 by the county treasurer's final settlement for the last
17 preceding even numbered year and also by subsequent receipts of
18 delinquent taxes for the county purposes fund levied for the
19 last preceding even numbered year, equals or exceeds the amount
20 produced by multiplying the rate extended for the county
21 purposes for the last preceding even numbered year by the total
22 assessed valuation of all property in the county used in the
23 year for purposes of state and county taxes, and by deducting
24 therefrom the amount appropriated to cover the loss and cost of
25 collecting taxes to be levied for the county purposes fund for
26 the last preceding even numbered year, the clerk in determining

1 the rate per cent to be extended for the county purposes fund
2 shall deduct from the amount of the levy certified to him for
3 county purposes as aforesaid for even numbered years the amount
4 received by the county clerk or withheld by the county
5 treasurer from other municipal corporations within the county
6 as their pro rata share of election expenses for the last
7 preceding even numbered year, as authorized in Sections 13-11,
8 13-12, 13-13 and 16-2 of the Election Code, and the clerk in
9 these counties shall extend only the net amount remaining after
10 such deductions.

11 The foregoing limitations upon tax rates, insofar as they
12 are applicable to counties having less than 3,000,000
13 inhabitants, may be increased or decreased under the referendum
14 provisions of the General Revenue Law of Illinois and there
15 shall be no limit on the rate of tax for county purposes that
16 may be levied by a county so long as any increase in the rate is
17 authorized by referendum in that county.

18 Any county having a population of less than 3,000,000
19 inhabitants that has determined to change its fiscal year may,
20 as a means of effectuating a change, instead of levying taxes
21 for a one-year period, levy taxes for a period greater or less
22 than a year as may be necessary.

23 In counties having less than 3,000,000 inhabitants, in
24 ascertaining the rate per cent that will produce the amount of
25 any tax levied in that county, the County Clerk shall not add
26 to the tax or rate any sum or amount to cover the loss and cost

1 of collecting the tax except in the case of amounts levied for
2 the payment of bonded indebtedness or interest thereon and in
3 the case of amounts levied for pension fund purposes and except
4 taxes levied to pay the annual rent payments due under a lease
5 entered into by the county with a Public Building Commission as
6 authorized by Section 18 of the Public Building Commission Act.

7 A county shall not have its maximum tax rate reduced as a
8 result of a population increase indicated by the 1980 federal
9 census.

10 (Source: P.A. 91-51, eff. 6-30-99.)

11 (55 ILCS 5/Div. 5-43 heading new)

12 Division 5-43. Water Supply Powers

13 (55 ILCS 5/5-43000 new)

14 Sec. 5-43000. Water supply powers. A county shall have and
15 exercise all powers, functions, and duties of a water
16 commission created pursuant to Division 135 of the Illinois
17 Municipal Code, and the county may rely on that Division, as
18 modified and supplemented by the provisions of this Act, as
19 lawful authority under which it may act. A county served by a
20 water commission that is abolished by this amendatory Act of
21 the 96th General Assembly shall assume the assets, property,
22 powers, rights, and monetary indebtedness duties of the
23 abolished commission, including the right to impose and receive
24 taxes previously approved pursuant to Sections 2, 4, and 5 of

1 the Water Commission Act of 1985 and all interest in Great
2 Lakes water allocated to the abolished commission by the
3 Illinois Department of Natural Resources and may exercise those
4 powers within the territory of the abolished commission
5 notwithstanding that some of the territory may lie outside the
6 county.

7 (55 ILCS 5/5-43005 new)

8 Sec. 5-43005. Water Operations and Planning Committee. A
9 county exercising powers under this amendatory Act of the 96th
10 General Assembly shall, by ordinance, establish a Water
11 Operations and Planning Committee. The Water Operations and
12 Planning Committee shall consist of equal numbers of county
13 board members and municipal representatives from each county
14 board district and any other members as may be determined by
15 the county and municipal members.

16 The county board members shall be appointed as provided by
17 the rules of the county board. Municipal members from each
18 county board district or other represented area shall be
19 appointed by a majority vote of the mayors of those
20 municipalities that have the greatest percentage of their
21 respective populations residing in the county board district or
22 other represented area. All municipal and county board
23 representatives shall be entitled to a vote. No committee
24 member shall receive a salary or compensation for service other
25 than as provided by rule of the county board. Officers of the

1 committee shall include a chair to be selected by the
2 chairperson of the county board and a vice-chair to be selected
3 by the municipal representatives. The county clerk and
4 treasurer shall perform their respective functions as for other
5 county committees and departments.

6 The principal duties of the Water Operations and Planning
7 Committee shall be to provide recommendations related to the
8 exercise of the county's powers under this Division 5-43. The
9 Water Operations and Planning Committee shall have no duties
10 related to a county's public works water system.

11 (55 ILCS 5/5-43010 new)

12 Sec. 5-43010. Annual audit. The county auditor shall
13 annually audit the county's accounts related to the exercise of
14 county water supply powers and shall post the annual audit on
15 the county's official Internet website.

16 (55 ILCS 5/5-43015 new)

17 Sec. 5-43015. Taxes. Beginning on December 1, 2010, the
18 county board of a county serviced by an abolished water
19 commission under this amendatory Act of the 96th General
20 Assembly may, by ordinance, impose throughout the territory of
21 the abolished commission, including those areas served that are
22 located outside of the county, any or all of the taxes provided
23 in Sections 2 and 4 of the Water Commission Act of 1985. The
24 revenues collected from these taxes shall be held in a water

1 enterprise fund and shall be expended by the county board
2 solely to repay the debts, obligations, and operating expenses
3 incurred by an abolished water commission.

4 (55 ILCS 5/5-43020 new)

5 Sec. 5-43020. Water enterprise fund. On December 1, 2010,
6 the county shall establish a water enterprise fund. All moneys
7 transferred to the county under this amendatory Act of the 96th
8 General Assembly shall, for accounting purposes, be stated
9 separately in the water enterprise fund, which may include
10 sub-funds for bond repayment and any other purposes as deemed
11 useful for management purposes. Any surplus remaining after
12 full payment of indebtedness for which a separate tax has been
13 levied shall not be transferred to the common fund as provided
14 in Section 5-1011, but shall remain in the water enterprise
15 fund. If the county has an existing water fund, the moneys from
16 the abolished commission shall be kept as a separate fund in
17 the county treasury.

18 (55 ILCS 5/5-43025 new)

19 Sec. 5-43025. Water service for unincorporated areas. The
20 county may require as a condition of a new or existing water
21 supply contract that a municipality provide water to
22 unincorporated areas of the county that adjoin that
23 municipality, without annexation of those areas, in accordance
24 with the terms of this Section. Before imposing the

1 requirement, the county shall find that the area to be served
2 received well water that is tainted, contaminated, or otherwise
3 substandard or the general safety of the area is compromised.

4 (55 ILCS 5/5-43030 new)

5 Sec. 5-43030. Water rate guarantee. The county shall charge
6 its customers a rate that is equal to or reasonably exceeds its
7 bulk water purchase rate to pay for the reasonable costs of
8 operation, including debt obligations, of its water supply
9 system. The rate charged by the county shall increase in an
10 amount equal to any increase charged to the county for the
11 purchase of bulk water, and such increased charge shall
12 automatically become effective without county action no later
13 than one month after the purchase rate increase takes effect.
14 Under no circumstances may the county charge a rate less than
15 the rate of the bulk water purchased by the county. If the rate
16 in effect on December 1, 2010 is less than the bulk purchase
17 rate, then the rate shall be immediately adjusted as set forth
18 in this Section.

19 (55 ILCS 5/5-43035 new)

20 Sec. 5-43035. Preparation and transition costs. All
21 reasonable costs incurred by a county in preparation for the
22 assumption of the functions of an abolished water commission
23 and in transition to the exercise of the powers and duties
24 provided in this Division 5-43 shall be paid by or reimbursed

1 from the assets and revenue of the abolished commission, and
2 shall be deemed proper costs attributable to water supply
3 purposes.

4 (55 ILCS 5/5-43040 new)

5 Sec. 5-43040. Home rule. A home rule unit may not regulate
6 its water systems in a manner that is inconsistent with the
7 provisions of this amendatory Act of the 96th General Assembly.
8 This Section is a limitation under subsection (i) of Section 6
9 of Article VII of the Illinois Constitution on the concurrent
10 exercise by home rule units of powers and functions exercised
11 by the State.

12 Section 10. The Water Commission Act of 1985 is amended by
13 adding Sections 0.001, 0.001a, 0.001b, 0.001c, 0.001d, 0.001e,
14 and 0.001f as follows:

15 (70 ILCS 3720/0.001 new)

16 Sec. 0.001. Purpose and findings. It is the purpose of this
17 amendatory Act of the 96th General Assembly to abolish the
18 water commissions created by this Act and to transfer to the
19 respective counties that are served by the water commissions
20 the assets, property, rights, powers, monetary indebtedness
21 duties, and functions of the commissions.

22 The General Assembly finds and declares that it is
23 necessary and in the best interest of the people of the State

1 and the persons served by these commissions to change the
2 governance of the water systems created and functioning under
3 this Act. The changes made by this amendatory Act of the 96th
4 General Assembly are intended to save costs by eliminating an
5 unnecessary additional level of government, make the
6 governance of the water systems more responsive to the electors
7 and water users, serve more equitably the municipalities
8 receiving water, ensure the financial viability of the water
9 systems, spread the costs of the water systems more equitably
10 among the users, ensure proper financial and operational
11 oversight, and ensure that government services are delivered in
12 a transparent and responsible manner.

13 It is the intent of this amendatory Act of the 96th General
14 Assembly to permit the changing of any obligations of a water
15 commission established under this Act to supply water,
16 including the rate charged for supplying water and other
17 matters related to a water commission's supply obligations. It
18 is not the intent of this amendatory Act of the 96th General
19 Assembly to change or permit the changing of any financial
20 covenants or obligations of a water commission established
21 under this Act to supply water.

22 (70 ILCS 3720/0.001a new)

23 Sec. 0.001a. Districts abolished. Notwithstanding any
24 provision of law to the contrary, any water commission
25 established under this Act is abolished on December 1, 2010.

1 (70 ILCS 3720/0.001b new)

2 Sec. 0.001b. Assumption of powers, rights, and monetary
3 indebtedness; tax rate limitation. On December 1, 2010, the
4 county in which the abolished commission has operated, shall
5 assume all powers, rights, and monetary indebtedness duties of
6 the abolished commission including without limitation the
7 following: (i) the right to impose and receive taxes previously
8 approved pursuant to Sections 2, 4, and 5 of this Act and (ii)
9 all interest in Great Lakes water allocated to the abolished
10 commission by the Illinois Department of Natural Resources. No
11 contract, except those evidencing monetary indebtedness,
12 entered into by the abolished commission shall remain in effect
13 unless re-affirmed or re-negotiated by the county. The
14 assumption of the monetary indebtedness of a water commission
15 as provided for in this Section shall constitute a merger or
16 consolidation for purposes of the Property Tax Extension
17 Limitation Law, notwithstanding the abolishment of the
18 existing water commission.

19 (70 ILCS 3720/0.001c new)

20 Sec. 0.001c. Transfer of assets and property. Effective
21 December 1, 2010, all assets, books, records, documents, real
22 and personal property, and unexpended appropriations of a water
23 commission abolished under this amendatory Act of the 96th
24 General Assembly are transferred and delivered to the county

1 served by the abolished water commission.

2 (70 ILCS 3720/0.001d new)

3 Sec. 0.001d. Cross references. Beginning on December 1,
4 2010, all references in other statutes, however phrased, to a
5 water commission abolished under this amendatory act of the
6 96th General Assembly shall be references to the county in its
7 capacity as successor to the abolished water commission.

8 (70 ILCS 3720/0.001e new)

9 Sec. 0.001e. Ordinances, orders, and resolutions.

10 (a) On December 1, 2010, the ordinances, orders, and
11 resolutions of a water commission abolished by this amendatory
12 Act of the 96th General Assembly that were in effect on
13 November 30, 2010 and that pertain to the assets, property,
14 rights, powers, monetary indebtedness duties, and functions
15 transferred to the county served by the abolished commission,
16 exclusive of those relating to contracts to be re-affirmed or
17 re-negotiated under Section 0.001b, shall become, with respect
18 to that territory, the ordinances, orders, and resolutions of
19 the county and shall continue in effect until amended or
20 repealed or until December 1, 2010, whichever occurs first.

21 (b) Any ordinances, orders, or resolutions pertaining to
22 the assets, property, rights, powers, monetary indebtedness
23 duties, and functions transferred to the county under this
24 amendatory Act of the 96th General Assembly that have been

1 proposed by a water commission abolished by this amendatory Act
2 of the 96th General Assembly but have not taken effect or been
3 finally adopted by November 30, 2010 shall become, with respect
4 to that territory, the proposed ordinances, orders, and
5 resolutions of the county, and any procedures that have already
6 been completed by the abolished water commission for those
7 proposed ordinances, orders, or resolutions need not be
8 repeated.

9 (70 ILCS 3720/0.001f new)

10 Sec. 0.001f. Savings provisions.

11 (a) The assets, property, rights, powers, monetary
12 indebtedness duties, and functions transferred to a county by
13 this amendatory Act of the 96th General assembly shall be
14 vested in that county subject to the provisions of this
15 amendatory Act of the 96th General Assembly. An act done by an
16 abolished water commission with respect to the transferred
17 assets, property, rights, powers, monetary indebtedness
18 duties, or functions, exclusive of those relating to contracts
19 to be re-affirmed or re-negotiated under Section 0.001b, shall
20 have the same legal effect as if done by the county. The county
21 is not liable for any act done by an officer, employee, or
22 agent of the abolished commission on or before December 1, 2010
23 if the act was an individual or unofficial act or an act
24 outside of the scope of duties.

25 (b) The transfer of assets, property, rights, powers,

1 monetary indebtedness duties, and functions under this
2 amendatory Act of the 96th General Assembly does not invalidate
3 any previous action, exclusive of those relating to contracts
4 to be re-affirmed or re-negotiated under Section 0.001b, taken
5 by or in respect to an abolished water commission or its
6 officers, employees, or agents. References to an abolished
7 water commission or to its officers, employees, or agents in
8 any document, contract, agreement, or law shall, in appropriate
9 contexts, be deemed to refer to the county served by the
10 abolished commission.

11 (c) The transfer under this amendatory Act of the 96th
12 General Assembly of assets, property, rights, powers, monetary
13 indebtedness duties, and functions of an abolished water
14 commission, exclusive of those relating to contracts to be
15 re-affirmed or re-negotiated under Section 0.001b, does not
16 affect any person's rights, obligations, or duties, including
17 any applicable civil or criminal penalties, arising out of
18 those transferred assets, property, rights, powers, monetary
19 indebtedness duties, and functions.

20 (d) With respect to matters pertaining to an asset,
21 property, right, power, monetary indebtedness duty, or
22 function transferred to a county under this amendatory Act of
23 the 96th General Assembly:

24 (1) Beginning December 1, 2010, a report or notice that
25 was previously required to be made or given by any person
26 to an abolished water commission or to any of its officers,

1 employees, or agents must be made or given in the same
2 manner to the county.

3 (2) Beginning December 1, 2010, a document that was
4 previously required to be furnished or served by any person
5 to or upon an abolished water commission or to or upon any
6 of its officers, employees, or agents must be furnished or
7 served in the same manner to or upon the county.

8 (e) This amendatory Act of the 96th General Assembly does
9 not affect any act done, ratified, or cancelled or any right
10 occurring or established, exclusive of those relating to
11 contracts to be re-affirmed or re-negotiated under Section
12 0.001b; or any action or proceeding had or commenced in an
13 administrative, civil, or criminal cause before December 1,
14 2010. Any such action or proceeding that pertains to an asset,
15 property, right, power, monetary indebtedness duty, or
16 function transferred to a county under this amendatory Act of
17 the 96th General Assembly, exclusive of those relating to
18 contracts to be re-affirmed or re-negotiated under Section
19 0.001b, and that is pending on November 30, 2010 may be
20 prosecuted, defended, or continued by the county.

21 Section 15. The State Mandates Act is amended by adding
22 Section 8.34 as follows:

23 (30 ILCS 805/8.34 new)

24 Sec. 8.34. Exempt mandate. Notwithstanding Sections 6 and 8

1 of this Act, no reimbursement by the State is required for the
2 implementation of any mandate created by this amendatory Act of
3 the 96th General Assembly.

4 Section 97. Severability. The provisions of this Act are
5 severable under Section 1.31 of the Statute on Statutes.

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