



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB0269

Introduced 01/28/11, by Rep. Jack D. Franks

SYNOPSIS AS INTRODUCED:

35 ILCS 200/27-30
35 ILCS 200/27-55

Amends the Property Tax Code. In a Section concerning a public hearing held prior to the establishment of a special service area, provides that a list of the names and addresses of the individuals and entities to whom notice of the public hearing was sent by mail shall be made available at the public hearing. Provides that a special service area district may not be created or enlarged, a tax may not be levied or imposed nor the rate increased, nor may bonds be issued unless that action is authorized by a petition that is signed by at least 51% of the electors residing within the special service area and by at least 51% of the owners of record of the land included within the boundaries of the special service area (currently, the action may be taken unless a petition objecting to the action is filed). Provides that, if a person who is registered to vote has died or has permanently moved from the special service area, and if certified documentation is submitted along with the authorization petition, then that person shall not be counted as an elector for purposes of the authorization petition.

LRB097 05985 HLH 46055 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

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 Property Tax Code is amended by changing
5 Sections 27-30 and 27-55 as follows:

6 (35 ILCS 200/27-30)

7 Sec. 27-30. Manner of notice. Prior to or within 60 days
8 after the adoption of the ordinance proposing the establishment
9 of a special service area the municipality or county shall fix
10 a time and a place for a public hearing. Notice of the hearing
11 shall be given by publication and mailing, except that notice
12 of a public hearing to propose the establishment of a special
13 service area for weather modification purposes may be given by
14 publication only. Notice by publication shall be given by
15 publication at least once not less than 15 days prior to the
16 hearing in a newspaper of general circulation within the
17 municipality or county. Notice by mailing shall be given by
18 depositing the notice in the United States mails addressed to
19 the person or persons in whose name the general taxes for the
20 last preceding year were paid on each property lying within the
21 special service area. A notice shall be mailed not less than 10
22 days prior to the time set for the public hearing. In the event
23 taxes for the last preceding year were not paid, the notice

1 shall be sent to the person last listed on the tax rolls prior
2 to that year as the owner of the property. A list of the names
3 and addresses of the individuals and entities to whom the
4 notice by mail was sent shall be made available at the public
5 hearing.

6 (Source: P.A. 82-282; 88-455.)

7 (35 ILCS 200/27-55)

8 Sec. 27-55. Authorization ~~Objection~~ petition. Unless ~~if~~ a
9 petition that is signed by at least 51% of the electors
10 residing within the special service area and by at least 51% of
11 the owners of record of the land included within the boundaries
12 of the special service area is filed with the municipal clerk
13 or county clerk, as the case may be, within 60 days following
14 the final adjournment of the public hearing, authorizing
15 ~~objecting to~~ the creation of the special service district, the
16 enlargement of the area, the levy or imposition of a tax or the
17 issuance of bonds for the provision of special services to the
18 area, or to a proposed increase in the tax rate, the district
19 shall not be created or enlarged, or the tax shall not be
20 levied or imposed nor the rate increased, or no bonds may be
21 issued. ~~The subject matter of the petition shall not be~~
22 ~~proposed relative to any signatories of the petition within the~~
23 ~~next 2 years.~~ Each resident of the special service area
24 registered to vote at the time of the public hearing held with
25 regard to the special service area shall be considered an

1 elector. However, if certified documentation or a sworn
2 affidavit is submitted along with an authorization petition
3 filed pursuant to this Section evidencing that an individual
4 who is registered to vote has died or has permanently moved
5 from the special service area and is no longer a resident of
6 the special service area, then that individual shall not be
7 counted as an elector for purposes of determining whether or
8 not at least 51% of the electors residing within the special
9 service area have signed the authorization petition. Each
10 person in whose name legal title to land included within the
11 boundaries of the special service area is held according to the
12 records of the county in which the land is located shall be
13 considered an owner of record. Owners of record shall be
14 determined at the time of the public hearing held with regard
15 to a special service area. Land owned in the name of a land
16 trust, corporation, estate or partnership shall be considered
17 to have a single owner of record.

18 (Source: P.A. 82-640; 88-455.)