



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB1082

Introduced 02/04/11, by Rep. Michael W. Tryon

#### SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-1009.5 new

Amends the Counties Code. Provides that Boone, DeKalb, DuPage, Grundy, Kane, Kankakee, Kendall, Lake, McHenry, or Will county may levy an annual tax for farmland preservation easement and green redevelopment purposes. Provides that the tax may not exceed 0.05% of the equalized assessed value of taxable property in the county. Provides that the tax must be approved by referendum. Provides that the tax may be discontinued by referendum. Provides that a referendum to levy or discontinue the tax may be initiated by a petition signed by a number of electors equal to at least 0.5% of the total number of votes cast in the county during the last preceding gubernatorial election. Provides that the proceeds of the tax shall be paid into two separate funds, the county farmland preservation easement fund and the green redevelopment fund. Sets forth the ways in which the proceeds of the funds shall be used.

LRB097 06339 KMW 46419 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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 Counties Code is amended by adding Section  
5 5-1009.5 as follows:

6 (55 ILCS 5/5-1009.5 new)

7 Sec. 5-1009.5. Tax for county farmland preservation  
8 easement and green redevelopment purposes.

9 (a) In Boone, DeKalb, DuPage, Grundy, Kane, Kankakee,  
10 Kendall, Lake, McHenry, or Will county, whenever a petition  
11 signed by a number of electors of the county equal to at least  
12 0.5% of the total number of votes cast during the last  
13 preceding gubernatorial election in the county is presented to  
14 the county board requesting the submission of a proposition, or  
15 if the county board adopts a resolution requesting the  
16 submission of a proposition, of whether or not an annual tax  
17 shall be levied at a rate not to exceed 0.05% of the value as  
18 equalized or assessed by the Department of Revenue, on all  
19 taxable property in the county for the purpose of creating and  
20 maintaining a fund for county farmland preservation easement  
21 purposes and for grants to units of local government within the  
22 county for green redevelopment purposes, that county board  
23 shall adopt a resolution for the submission of the proposition

1 at the next regular election held in the county. The county  
2 board shall certify the resolution and the proposition to the  
3 proper election officials, who shall submit the proposition at  
4 an election in accordance with the general election law. The  
5 foregoing limitations upon tax rates may be increased or  
6 decreased under the referendum provisions of the General  
7 Revenue Law of Illinois.

8 (b) Upon the adoption of the resolution and the  
9 certification thereof to the county clerk of the county, the  
10 proposition shall be submitted at the next regular election  
11 held in the county.

12 The proposition shall be in substantially the following  
13 form:

14 Shall an annual tax of not to exceed 0.05% be levied in  
15 ..... County for county farmland preservation easement  
16 purposes and grants to units of local government for green  
17 redevelopment purposes addressing stormwater management,  
18 groundwater protection, and reinvestment in developed  
19 sites?

20 Votes shall be recorded as "yes" or "no".

21 If a majority of the legal voters of the county voting on  
22 the proposition vote in favor thereof, the proposition shall be  
23 deemed adopted.

24 (c) Upon the adoption of the proposition in accordance with  
25 subsection (b), the county board shall cause an annual tax of  
26 not to exceed 0.05% of value, as equalized or assessed by the

1 Department of Revenue, of all taxable property of the county to  
2 be levied upon all the taxable property in the county for  
3 county farmland preservation easement and green redevelopment  
4 purposes. Any tax imposed under this Section shall be in  
5 addition to all other taxes authorized by law to be levied and  
6 collected in the county and shall be in addition to the maximum  
7 of taxes authorized by law for county purposes. The foregoing  
8 limitations upon tax rates may be increased or decreased  
9 according to the referendum provisions of the General Revenue  
10 Law of Illinois.

11 (d) The proceeds of the tax authorized under this Section  
12 shall be paid into 2 separate funds in the county treasury. At  
13 least 50% of the proceeds shall go into a fund known as the  
14 county farmland preservation easement fund which shall be used  
15 by the county board for the purchase of easements to preserve  
16 farmland within the county. Up to 50% of the proceeds shall go  
17 into a fund known as the green redevelopment fund which shall  
18 be used by the county to offer grants to units of local  
19 government for green redevelopment projects including  
20 acquisition, construction, demolition, conversion, repair, or  
21 alteration of existing developed sites to address  
22 implementation of best management practices for stormwater  
23 management as defined by existing stormwater management  
24 ordinances; groundwater recharge and infiltration; and  
25 reinvestment in brownfield sites through remediation  
26 activities. Green redevelopment funds cannot be used for

1 projects on land planned or reserved by county or municipal  
2 plans for either agricultural use or open space. The fund shall  
3 be expended in the same manner and subject to the same  
4 requirements as other county expenditures.

5 (e) If a petition signed by a number of electors of the  
6 county equal to at least 0.5% of the total number of votes cast  
7 during the last preceding gubernatorial election in a county  
8 that has authorized a tax for county farmland preservation  
9 easement and green redevelopment purposes under the provisions  
10 of this Section is presented to the county board of that  
11 county, requesting a proposition whether or not the tax for  
12 county farmland preservation easement and green redevelopment  
13 purposes in such county shall be discontinued, the county board  
14 shall adopt a resolution providing for the submission of the  
15 proposition to the voters of the county at the next regular  
16 election held in accordance with the general election law.

17 If a majority of the voters of the county voting upon the  
18 proposition are in favor thereof, then the proposition shall be  
19 deemed adopted and the tax shall be discontinued in the county.  
20 In case any funds remain to the credit of the county farmland  
21 preservation easement fund or the green redevelopment fund  
22 after the tax has been discontinued, those remaining funds  
23 shall be paid into the general fund for county purposes in the  
24 county treasury. All previously executed farmland preservation  
25 easements shall be in effect until the termination of the  
26 easements as provided in each easement agreement. All

1 previously executed grant agreements for green redevelopment  
2 with units of local government shall be fulfilled as provided  
3 in each grant agreement.