



Rep. Dwight Kay

Filed: 4/5/2011

09700HB2823ham002

LRB097 09405 HLH 53842 a

1 AMENDMENT TO HOUSE BILL 2823

2 AMENDMENT NO. _____. Amend House Bill 2823 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Local Library Act is amended by
5 changing Section 3-5 and by adding Sections 4-18, 4-18.1, and
6 4-18.2 as follows:

7 (75 ILCS 5/3-5) (from Ch. 81, par. 3-5)

8 Sec. 3-5. The library taxes provided for in this Act shall
9 be levied by the corporate authorities in the amounts
10 determined by the board and collected in like manner with other
11 general taxes of the city, village, incorporated town or
12 township and the proceeds shall be deposited in a special fund,
13 which shall be known as the library fund. If the tax levy for
14 library purposes is increased by a greater percentage than the
15 percentage increase in the aggregate of all other corporate tax
16 levies from the proceeding fiscal year, then the corporate

1 authorities may lower the levy for library purposes to a level
2 no lower than the percentage increase for the aggregate of all
3 other corporate tax levies from the preceding fiscal year. In
4 townships and in cities, villages and incorporated towns having
5 a population of 50,000 or less the proceeds of any such tax
6 shall be paid over by the officer charged with the collection
7 thereof to the board of trustees of the library. Expenditures
8 from the library fund shall be under the direction of the board
9 of library trustees.

10 (Source: P.A. 84-770.)

11 (75 ILCS 5/4-18 new)

12 Sec. 4-18. Dissolution of the board of library trustees.
13 The board of library trustees of a city, village, incorporated
14 town, or township may be dissolved by an ordinance adopted by
15 an affirmative vote of three-fourths of the corporate
16 authorities then holding office. Before dissolving the board of
17 library trustees, the corporate authorities must hold at least
18 one public hearing on the matter not less than 15 nor more than
19 30 days before the corporate authorities consider the
20 dissolution. If the board of library trustees is dissolved,
21 then a 7-member advisory library board must be established by
22 the corporate authorities. The members of the advisory library
23 board shall be appointed by the mayor, village president, or
24 township executive officer, as applicable, with the advice and
25 consent of the city council, village board of trustees, or

1 township board. Members of the advisory library board shall
2 serve for a term of 4 years. Of the members initially appointed
3 to the advisory library board, 4 of the members shall initially
4 be appointed to serve a term of 2 years and 3 of the members
5 shall initially appointed to serve a term of 4 years. If the
6 board of library trustees is dissolved, the corporate
7 authorities shall assume the powers of the board of library
8 trustees pursuant to this Act, but may delegate any powers to
9 the advisory library board with the exception of the power to
10 levy a tax, appropriate money, appoint and fix the compensation
11 of library employees, or acquire and sell property.

12 (75 ILCS 5/4-18.1 new)

13 Sec. 4-18.1. Ordinance for dissolution of library board;
14 publication; effective date. After the ordinance providing for
15 the dissolution of the library board of trustees has been
16 passed, it shall be published at least twice within 30 days
17 after its passage in one or more newspapers published in the
18 municipality, or, if no newspaper is published in the
19 municipality, then in one or more newspapers with a general
20 circulation within the municipality. In municipalities with
21 fewer than 500 inhabitants in which no newspaper is published,
22 publication may instead be made by posting a notice in 3
23 prominent places within the municipality. The ordinance shall
24 not become effective until 30 days after its second
25 publication. The notice shall include (i) the specific number

1 of voters required to sign the petition under Section 14-8.2,
2 (ii) the time in which the petition specified in Section 14-8.2
3 must be filed, and (iii) the date of the prospective referendum
4 under Section 14-8.2.

5 (75 ILCS 5/4-18.2 new)

6 Sec. 4-18.2. Referendum. Whenever a petition signed by the
7 electors of any municipality that has adopted an ordinance
8 pursuant to the powers granted in Section 4-18 of this Act
9 equal in number to 10% or more of the total number of
10 registered voters in the municipality is filed with municipal
11 clerk of that municipality within 30 days after the second
12 publication of the notice required in Section 4-18.1 of this
13 Act, the corporate authorities shall order the submission of
14 the question to the municipal electors and designate the
15 election at which the question shall be submitted. The
16 municipal clerk shall certify the question to the proper
17 election authority. The municipal clerk shall provide a
18 petition form to any individual requesting one.

19 The proposition shall be substantially in the following
20 form:

21 Shall the city council (or board of trustees, etc.) of
22 (name of municipality) be authorized to dissolve the
23 library board of trustees?

24 Votes shall be recorded as "Yes" or "No". If a majority of
25 the votes cast on the questions are in favor of the

1 proposition, the corporate authorities shall have the
2 authority granted to them by Section 4-18.".