



Sen. Larry K. Bomke

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09700SB0108sam001

LRB097 05689 HLH 52867 a

1 AMENDMENT TO SENATE BILL 108

2 AMENDMENT NO. _____. Amend Senate Bill 108 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Municipal Code is amended by
5 changing Section 8-11-1.1 as follows:

6 (65 ILCS 5/8-11-1.1) (from Ch. 24, par. 8-11-1.1)

7 Sec. 8-11-1.1. Non-home rule municipalities; imposition of
8 taxes.

9 (a) The ~~The~~ corporate authorities of a non-home rule
10 municipality may, upon approval of the electors of the
11 municipality pursuant to subsection (b) of this Section, impose
12 by ordinance or resolution the tax authorized in Sections
13 8-11-1.3, 8-11-1.4 and 8-11-1.5 of this Act.

14 (b) The corporate authorities of the municipality may by
15 ordinance or resolution call for the submission to the electors
16 of the municipality the question of whether the municipality

1 shall impose such tax. Such question shall be certified by the
2 municipal clerk to the election authority in accordance with
3 Section 28-5 of the Election Code and shall be in a form in
4 accordance with Section 16-7 of the Election Code.

5 Notwithstanding any provision of law to the contrary, if
6 the proceeds of the tax may be used for municipal operations
7 pursuant to Section 8-11-1.3, 8-11-1.4, or 8-11-1.5, then the
8 election authority must submit the question in substantially
9 the following form:

10 Shall the corporate authorities of the municipality be
11 authorized to levy a tax at a rate of (rate)% for
12 expenditures on municipal operations, expenditures on
13 public infrastructure, or property tax relief?

14 If a majority of the electors in the municipality voting
15 upon the question vote in the affirmative, such tax shall be
16 imposed.

17 An ordinance or resolution imposing the tax of not more
18 than 1% hereunder or discontinuing the same shall be adopted
19 and a certified copy thereof, together with a certification
20 that the ordinance or resolution received referendum approval
21 in the case of the imposition of such tax, filed with the
22 Department of Revenue, on or before the first day of June,
23 whereupon the Department shall proceed to administer and
24 enforce the additional tax or to discontinue the tax, as the
25 case may be, as of the first day of September next following
26 such adoption and filing. Beginning January 1, 1992, an

1 ordinance or resolution imposing or discontinuing the tax
2 hereunder shall be adopted and a certified copy thereof filed
3 with the Department on or before the first day of July,
4 whereupon the Department shall proceed to administer and
5 enforce this Section as of the first day of October next
6 following such adoption and filing. Beginning January 1, 1993,
7 an ordinance or resolution imposing or discontinuing the tax
8 hereunder shall be adopted and a certified copy thereof filed
9 with the Department on or before the first day of October,
10 whereupon the Department shall proceed to administer and
11 enforce this Section as of the first day of January next
12 following such adoption and filing. Beginning October 1, 2002,
13 an ordinance or resolution imposing or discontinuing the tax
14 under this Section or effecting a change in the rate of tax
15 must either (i) be adopted and a certified copy of the
16 ordinance or resolution filed with the Department on or before
17 the first day of April, whereupon the Department shall proceed
18 to administer and enforce this Section as of the first day of
19 July next following the adoption and filing; or (ii) be adopted
20 and a certified copy of the ordinance or resolution filed with
21 the Department on or before the first day of October, whereupon
22 the Department shall proceed to administer and enforce this
23 Section as of the first day of January next following the
24 adoption and filing.

25 Notwithstanding any provision in this Section to the
26 contrary, if, in a non-home rule municipality with more than

1 150,000 but fewer than 200,000 inhabitants, as determined by
2 the last preceding federal decennial census, an ordinance or
3 resolution under this Section imposes or discontinues a tax or
4 changes the tax rate as of July 1, 2007, then that ordinance or
5 resolution, together with a certification that the ordinance or
6 resolution received referendum approval in the case of the
7 imposition of the tax, must be adopted and a certified copy of
8 that ordinance or resolution must be filed with the Department
9 on or before May 15, 2007, whereupon the Department shall
10 proceed to administer and enforce this Section as of July 1,
11 2007.

12 Notwithstanding any provision in this Section to the
13 contrary, if, in a non-home rule municipality with more than
14 6,500 but fewer than 7,000 inhabitants, as determined by the
15 last preceding federal decennial census, an ordinance or
16 resolution under this Section imposes or discontinues a tax or
17 changes the tax rate on or before May 20, 2009, then that
18 ordinance or resolution, together with a certification that the
19 ordinance or resolution received referendum approval in the
20 case of the imposition of the tax, must be adopted and a
21 certified copy of that ordinance or resolution must be filed
22 with the Department on or before May 20, 2009, whereupon the
23 Department shall proceed to administer and enforce this Section
24 as of July 1, 2009.

25 A non-home rule municipality may file a certified copy of
26 an ordinance or resolution, with a certification that the

1 ordinance or resolution received referendum approval in the
2 case of the imposition of the tax, with the Department of
3 Revenue, as required under this Section, only after October 2,
4 2000.

5 The tax authorized by this Section may not be more than 1%
6 and may be imposed only in 1/4% increments.

7 (Source: P.A. 95-8, eff. 6-29-07; 96-10, eff. 5-20-09; 96-1057,
8 eff. 7-14-10.)".