



Rep. Michael J. Madigan

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1 AMENDMENT TO SENATE BILL 3183

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3183 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by changing  
5 Section 5-1030 and adding Section 5-1134 as follows:

6 (55 ILCS 5/5-1030) (from Ch. 34, par. 5-1030)

7 Sec. 5-1030. Hotel rooms, tax on gross rental receipts.

8 (a) The corporate authorities of any county may by  
9 ordinance impose a tax upon all persons engaged in such county  
10 in the business of renting, leasing or letting rooms in a hotel  
11 which is not located within a city, village, or incorporated  
12 town that imposes a tax under Section 8-3-14 of the Illinois  
13 Municipal Code, as defined in "The Hotel Operators' Occupation  
14 Tax Act", at a rate not to exceed 5% of the gross rental  
15 receipts from such renting, leasing or letting, excluding,  
16 however, from gross rental receipts, the proceeds of such

1     renting, leasing or letting to permanent residents of that  
2     hotel, and may provide for the administration and enforcement  
3     of the tax, and for the collection thereof from the persons  
4     subject to the tax, as the corporate authorities determine to  
5     be necessary or practicable for the effective administration of  
6     the tax.

7     (b) With the consent of municipalities representing at  
8     least 67% of the population of Winnebago County, as determined  
9     by the 2010 federal decennial census and as expressed by  
10    resolution of the corporate authorities of those  
11    municipalities, the county board of Winnebago County may, by  
12    ordinance, impose a tax upon all persons engaged in the county  
13    in the business of renting, leasing, or letting rooms in a  
14    hotel that imposes a tax under Section 8-3-14 of the Illinois  
15    Municipal Code, as defined in "The Hotel Operators' Occupation  
16    Tax Act", at a rate not to exceed 2% of the gross rental  
17    receipts from renting, leasing, or letting, excluding,  
18    however, from gross rental receipts, the proceeds of the  
19    renting, leasing, or letting to permanent residents of that  
20    hotel, and may provide for the administration and enforcement  
21    of the tax, and for the collection thereof from the persons  
22    subject to the tax, as the county board determines to be  
23    necessary or practicable for the effective administration of  
24    the tax. The tax shall be instituted on a county-wide basis and  
25    shall be in addition to any tax imposed by this or any other  
26    provision of law. The revenue generated under this subsection

1 shall be accounted for and segregated from all other funds of  
2 the county and shall be utilized solely for either: (1)  
3 encouraging, supporting, marketing, constructing, or  
4 operating, either directly by the county or through other  
5 taxing bodies within the county, sports, arts, or other  
6 entertainment or tourism facilities or programs for the purpose  
7 of promoting tourism, competitiveness, job growth, and for the  
8 general health and well-being of the citizens of the county; or  
9 (2) payment towards debt services on bonds issued for the  
10 purposes set forth in this subsection.

11 (c) A Tourism Facility Board shall be established,  
12 comprised of a representative from the county and a  
13 representative from each of the municipalities that approve a  
14 resolution pursuant to subsection (b) of this Section:

15 (1) A Board member's vote is weighted; the percentage  
16 of the total revenues received by the county pursuant to  
17 subsection (b) of this Section attributable to the  
18 municipality or county that the Board member represents  
19 determines the weight of that Board member's vote. For the  
20 purpose of allocating revenues by the tax imposed under  
21 subsection (b) of this Section to determine voting weight,  
22 revenue generated within the corporate limits of an  
23 incorporated or unincorporated municipality shall be  
24 attributed solely to that incorporated or unincorporated  
25 municipality. Representatives from the Rockford Park  
26 District and Rockford Area Convention and Visitors Bureau

1       shall serve as ex-officio members with no voting rights.

2       (2) The Board must meet not less frequently than once  
3       per year to direct the use of revenues collected from the  
4       tax imposed under subsection (b) of this Section that are  
5       not already directed for use pursuant to an  
6       intergovernmental agreement between the county and another  
7       entity represented on the Board, including the ex-officio  
8       members, and for any other reason the Board deems  
9       necessary.

10       (3) The Board shall not be a separate unit of local  
11       government, shall have no paid staff, and members of the  
12       Board shall receive no compensation or reimbursement for  
13       expenses.

14       (d) Persons subject to any tax imposed pursuant to  
15       authority granted by this Section may reimburse themselves for  
16       their tax liability for such tax by separately stating such tax  
17       as an additional charge, which charge may be stated in  
18       combination, in a single amount, with State tax imposed under  
19       "The Hotel Operators' Occupation Tax Act".

20       Nothing in this Section shall be construed to authorize a  
21       county to impose a tax upon the privilege of engaging in any  
22       business which under the Constitution of the United States may  
23       not be made the subject of taxation by this State.

24       An ordinance or resolution imposing a tax hereunder or  
25       effecting a change in the rate thereof shall be effective on  
26       the first day of the calendar month next following its passage

1 and required publication.

2 The amounts collected by any county pursuant to this  
3 Section shall be expended to promote tourism; conventions;  
4 expositions; theatrical, sports and cultural activities within  
5 that county or otherwise to attract nonresident overnight  
6 visitors to the county.

7 Any county may agree with any unit of local government,  
8 including any authority defined as a metropolitan exposition,  
9 auditorium and office building authority, fair and exposition  
10 authority, exposition and auditorium authority, or civic  
11 center authority created pursuant to provisions of Illinois law  
12 and the territory of which unit of local government or  
13 authority is co-extensive with or wholly within such county, to  
14 impose and collect for a period not to exceed 40 years, any  
15 portion or all of the tax authorized pursuant to this Section  
16 and to transmit such tax so collected to such unit of local  
17 government or authority. The amount so paid shall be expended  
18 by any such unit of local government or authority for the  
19 purposes for which such tax is authorized. Any such agreement  
20 must be authorized by resolution or ordinance, as the case may  
21 be, of such county and unit of local government or authority,  
22 and such agreement may provide for the irrevocable imposition  
23 and collection of said tax at such rate, or amount as limited  
24 by a given rate, as may be agreed upon for the full period of  
25 time set forth in such agreement; and such agreement may  
26 further provide for any other terms as deemed necessary or

1     advisable by such county and such unit of local government or  
2     authority. Any such agreement shall be binding and enforceable  
3     by either party to such agreement. Such agreement entered into  
4     pursuant to this Section shall not in any event constitute an  
5     indebtedness of such county subject to any limitation imposed  
6     by statute or otherwise.

7     (Source: P.A. 86-962.)

8             (55 ILCS 5/5-1134 new)

9             Sec. 5-1134. Project labor agreements.

10            (a) Any sports, arts, or entertainment facilities that  
11            receive revenue from a tax imposed under subsection (b) of  
12            Section 5-1030 of this Code shall be considered to be public  
13            works within the meaning of the Prevailing Wage Act. The county  
14            authorities responsible for the construction, renovation,  
15            modification, or alteration of the sports, arts, or  
16            entertainment facilities shall enter into project labor  
17            agreements with labor organizations as defined in the National  
18            Labor Relations Act to assure that no labor dispute interrupts  
19            or interferes with the construction, renovation, modification,  
20            or alteration of the projects.

21            (b) The project labor agreements must include the  
22            following:

23                 (1) provisions establishing the minimum hourly wage  
24                 for each class of labor organization employees;

25                 (2) provisions establishing the benefits and other

1       compensation for such class of labor organization; and

2           (3) provisions establishing that no strike or disputes  
3       will be engaged in by the labor organization employees.

4       The county, taxing bodies, municipalities, and the labor  
5       organizations shall have the authority to include other terms  
6       and conditions as they deem necessary.

7       (c) The project labor agreement shall be filed with the  
8       Director of the Illinois Department of Labor in accordance with  
9       procedures established by the Department. At a minimum, the  
10       project labor agreement must provide the names, addresses, and  
11       occupations of the owner of the facilities and the individuals  
12       representing the labor organization employees participating in  
13       the project labor agreement. The agreement must also specify  
14       the terms and conditions required in subsection (b) of this  
15       Section.

16       (d) In any agreement for the construction or rehabilitation  
17       of a facility using revenue generated under subsection (b) of  
18       Section 5-1030 of this Code, in connection with the  
19       prequalification of general contractors for construction or  
20       rehabilitation of the facility, it shall be required that a  
21       commitment will be submitted detailing how the general  
22       contractor will expend 15% or more of the aggregate dollar  
23       value of the project as a whole with one or more minority owned  
24       businesses, female-owned businesses, or businesses owned by a  
25       person with a disability, as these terms are defined in Section  
26       2 of the Business Enterprise for Minorities, Females, and

1 Persons with Disabilities Act. "