



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 from each  
13 municipality that has approved the imposition of the tax under  
14 subsection (b) of this Section.

15 (1) A Board member's vote is weighted based on the  
16 municipality's population relative to the population of  
17 the county, with the county representing the population  
18 within unincorporated areas of the county. Representatives  
19 from the Rockford Park District and Rockford Area  
20 Convention and Visitors Bureau shall serve as ex-officio  
21 members with no voting rights.

22 (2) The Board must meet not less frequently than once  
23 per year to direct the use of revenues collected from the  
24 tax imposed under subsection (b) of this Section that are  
25 not already directed for use pursuant to an  
26 intergovernmental agreement between the county and another

1       entity represented on the Board, including the ex-officio  
2       members, and for any other reason the Board deems  
3       necessary. Affirmative actions of the Board shall require a  
4       weighted vote of Board members representing not less than  
5       67% of the population of the county.

6       (3) The Board shall not be a separate unit of local  
7       government, shall have no paid staff, and members of the  
8       Board shall receive no compensation or reimbursement of  
9       expenses from proceeds of the tax imposed under subsection  
10       (b) of this Section.

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

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

21       An ordinance or resolution imposing a tax hereunder or  
22       effecting a change in the rate thereof shall be effective on  
23       the first day of the calendar month next following its passage  
24       and required publication.

25       The amounts collected by any county pursuant to this  
26       Section shall be expended to promote tourism; conventions;

1 expositions; theatrical, sports and cultural activities within  
2 that county or otherwise to attract nonresident overnight  
3 visitors to the county.

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

1 pursuant to this Section shall not in any event constitute an  
2 indebtedness of such county subject to any limitation imposed  
3 by statute or otherwise.

4 (Source: P.A. 86-962.)

5 (55 ILCS 5/5-1134 new)

6 Sec. 5-1134. Project labor agreements.

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

18 (b) The project labor agreements must include the  
19 following:

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

22 (2) provisions establishing the benefits and other  
23 compensation for such class of labor organization; and

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

1       The county, taxing bodies, municipalities, and the labor  
2 organizations shall have the authority to include other terms  
3 and conditions as they deem necessary.

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

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