



Rep. Jeanne M Ives

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09800HB3159ham001

LRB098 11009 HLH 43324 a

1 AMENDMENT TO HOUSE BILL 3159

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3159 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by changing  
5 Sections 27-5, 27-30, and 27-55 as follows:

6 (35 ILCS 200/27-5)

7 Sec. 27-5. Short title; definitions. This Article may be  
8 cited as the Special Service Area Tax Law.

9 When used in this Article:

10 "Special Service Area" means a contiguous area within a  
11 municipality or county in which special governmental services  
12 are provided in addition to those services provided generally  
13 throughout the municipality or county, the cost of the special  
14 services to be paid from revenues collected from taxes levied  
15 or imposed upon property within that area. Territory shall be  
16 considered contiguous for purposes of this Article even though

1 certain completely surrounded portions of the territory are  
2 excluded from the special service area. A county may create a  
3 special service area within a municipality or municipalities  
4 when the municipality or municipalities consent to the creation  
5 of the special service area. A municipality may create a  
6 special service area within a municipality and the  
7 unincorporated area of a county or within another municipality  
8 when the county or other municipality consents to the creation  
9 of the special service area.

10 "Special Services" means infrastructure projects ~~all forms~~  
11 ~~of services~~ pertaining to the government and affairs of the  
12 municipality or county, including municipal roads and streets,  
13 public parks, access roads, bridges, sidewalks, waste disposal  
14 systems, water and sewer line extensions, water distribution  
15 and purification facilities, storm water drainage and  
16 retention facilities, sewage treatment facilities, ~~but not~~  
17 ~~limited to~~ weather modification and improvements permissible  
18 under Article 9 of the Illinois Municipal Code, and contracts  
19 for the supply of water as described in Section 11-124-1 of the  
20 Illinois Municipal Code which may be entered into by the  
21 municipality or by the county on behalf of a county service  
22 area.

23 (Source: P.A. 86-1324; 88-445.)

24 (35 ILCS 200/27-30)

25 Sec. 27-30. Manner of notice. Prior to or within 60 days

1 after the adoption of the ordinance proposing the establishment  
2 of a special service area the municipality or county shall fix  
3 a time and a place for a public hearing. The public hearing  
4 shall be held not less than 60 days after the adoption of the  
5 ordinance proposing the establishment of a special service  
6 area. Notice of the hearing shall be given by publication and  
7 mailing, except that notice of a public hearing to propose the  
8 establishment of a special service area for weather  
9 modification purposes may be given by publication only. Notice  
10 by publication shall be given by publication at least once not  
11 less than 15 days prior to the hearing in a newspaper of  
12 general circulation within the municipality or county. Notice  
13 by mailing shall be given by depositing the notice in the  
14 United States mails addressed to the person or persons in whose  
15 name the general taxes for the last preceding year were paid on  
16 each property lying within the special service area. A notice  
17 shall be mailed not less than 10 days prior to the time set for  
18 the public hearing. In the event taxes for the last preceding  
19 year were not paid, the notice shall be sent to the person last  
20 listed on the tax rolls prior to that year as the owner of the  
21 property. A list of the names and addresses of the individuals  
22 and entities to whom the notice will be sent by mail shall be  
23 published at the time notice is given and shall be available at  
24 the public hearing.

25 (Source: P.A. 97-1053, eff. 1-1-13.)

1 (35 ILCS 200/27-55)

2 Sec. 27-55. Authorization ~~Objection~~ petition.  
3 Notwithstanding any other provision of law, on and after the  
4 effective date of this amendatory Act of the 98th General  
5 Assembly, no special service area may be created or enlarged;  
6 no special service area tax may be levied, imposed, or  
7 increased; and no bonds may be issued for the provision of  
8 special services within the area, unless ~~if~~ a petition signed  
9 by at least 51% of the taxpayers of record of all property  
10 electors ~~residing~~ within the special service area or ~~and~~ by at  
11 least 51% of the taxpayers ~~owners~~ of record of the land  
12 included within the boundaries of the special service area is  
13 filed with the municipal clerk or county clerk, as the case may  
14 be, ~~authorizing within 60 days following the final adjournment~~  
15 ~~of the public hearing, objecting to~~ the creation of the special  
16 service district, the enlargement of the area, the levy or  
17 imposition of a tax or the issuance of bonds for the provision  
18 of special services to the area, or to a proposed increase in  
19 the tax rate, as the case may be. The petition must be filed  
20 within 60 days following the final adjournment of the public  
21 hearing. Only one taxpayer of record may sign an authorization  
22 petition for any single property index number within the  
23 proposed special service area. For the purposes of signing the  
24 petition, "taxpayer of record" means either (i) any person in  
25 whose name the general taxes for the last preceding year were  
26 paid, as demonstrated by a copy of the tax bill or

1 documentation from the assessor or clerk, or (ii) any person in  
2 whose name title is held, as demonstrated by a copy of the last  
3 recorded deed to the property. Any authorized agent may sign a  
4 petition on behalf of an entity, and that person's  
5 certification of his or her authority to sign shall be  
6 presumptive evidence of his or her authority to sign. A  
7 beneficiary of a land trust may sign the petition with respect  
8 to the property held by that land trust, and that person's  
9 certification that he or she is a beneficiary shall be  
10 presumptive evidence of his or her authorization to sign.

11 ~~Taxpayers, the district shall not be created or enlarged, or~~  
12 ~~the tax shall not be levied or imposed nor the rate increased,~~  
13 ~~or no bonds may be issued. The subject matter of the petition~~  
14 ~~shall not be proposed relative to any signatories of the~~  
15 ~~petition within the next 2 years. Each resident of the special~~  
16 ~~service area registered to vote at the time of the public~~  
17 ~~hearing held with regard to the special service area shall be~~  
18 ~~considered an elector. Each person in whose name legal title to~~  
19 ~~land included within the boundaries of the special service area~~  
20 ~~is held according to the records of the county in which the~~  
21 ~~land is located shall be considered an owner of record. Owners~~  
22 ~~of record shall be determined at the time of the public hearing~~  
23 ~~held with regard to a special service area. Land owned in the~~  
24 ~~name of a land trust, corporation, estate or partnership shall~~  
25 ~~be considered to have a single owner of record.~~

26 (Source: P.A. 82-640; 88-455.)

1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.".