



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB1299

Introduced 2/5/2013, by Sen. Pamela J. Althoff

SYNOPSIS AS INTRODUCED:

615 ILCS 90/7.2

from Ch. 19, par. 1209

Amends the Fox Waterway Agency Act. Allows Lake County or McHenry County, if providing law enforcement services on a waterway in which a portion of the territory of the Agency is located, to assess a public safety enforcement user fee of up to \$20 per user that uses the waterway for recreational or commercial boating. Provides that if Lake County and McHenry county both levy fees, those fees will be combined into a single \$30 fee to be collected by the Agency, 60% of which shall be remitted to Lake County and 40% of which shall be remitted to McHenry County. Allows the Agency to keep \$0.50 of every fee collected for administrative costs. The public safety enforcement user fee shall be used for county law enforcement purposes. Effective immediately.

LRB098 02896 MLW 32907 b

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Fox Waterway Agency Act is amended by
5 changing Section 7.2 as follows:

6 (615 ILCS 90/7.2) (from Ch. 19, par. 1209)

7 Sec. 7.2. The Agency may charge reasonable user fees for
8 recreational and commercial boating, and has the authority to
9 issue revenue bonds and to borrow funds from any financial
10 lending institution, but shall not have the authority to impose
11 any property tax. The Agency shall devise a schedule of user
12 fees. The Agency shall conduct public hearings before
13 establishing or changing user fees or soliciting the issuance
14 of revenue bonds or the borrowing of funds. The Agency may
15 issue stickers as evidence of the payment of user fees. The
16 Agency may impose a civil penalty on persons who knowingly use
17 the waterway without paying a required user fee in an amount
18 not exceeding \$500 for each violation. This ~~Such~~ civil penalty
19 may be recovered by the Agency in a civil action.

20 The Agency may also sell its dredging materials from the
21 waterway as reclaimed topsoil.

22 At least 75% of the gross income collected under this
23 Section, except any county public safety enforcement user fees

1 collected under this Section, shall be used exclusively for
2 projects designed to maintain and improve the waterway. These
3 ~~Such~~ projects may include, but are not limited to, dredging,
4 site acquisition for silt deposit, water safety, and water
5 quality projects. Any funds which have not been expended by the
6 end of a fiscal year may be accumulated in a revolving fund.

7 If Lake County or McHenry County provides law enforcement
8 services on a waterway in which a portion of the territory of
9 the Agency is located, the county board of that county may by
10 ordinance assess a public safety enforcement user fee of up to
11 \$20 per user who uses the waterway for recreational or
12 commercial boating. This fee shall be collected by the Agency
13 at the time it collects its other user fees and remitted to the
14 county. If Lake County and McHenry County both assess a public
15 safety enforcement user fee under this paragraph then the total
16 fee shall be \$30, and the Agency shall collect the \$30 county
17 public safety enforcement user fee and remit the fees collected
18 as follows: 60% to Lake County and 40% to McHenry County. The
19 Agency may retain \$0.50 of each fee collected under this
20 paragraph to defray administrative costs associated with user
21 fee collection and processing. The public safety enforcement
22 user fee provided under this paragraph shall be used by the
23 county for law enforcement purposes.

24 (Source: P.A. 96-960, eff. 7-2-10.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.