

# SB3341



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

SB3341

Introduced 2/14/2014, by Sen. Pamela J. Althoff

#### SYNOPSIS AS INTRODUCED:

70 ILCS 410/15

from Ch. 96 1/2, par. 7116

70 ILCS 410/15.1

from Ch. 96 1/2, par. 7117

Amends the Conservation District Act. Provides that a district may incur indebtedness for the purposes of paying any capital expenditure without first obtaining consent of the legal voters of the district. Sets forth a list of the types of bonds that do not limit a district from issuing non-referendum debt. Makes other changes.

LRB098 19797 JLK 55013 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Conservation District Act is amended by  
5 changing Sections 15 and 15.1 as follows:

6 (70 ILCS 410/15) (from Ch. 96 1/2, par. 7116)

7 Sec. 15. (a) Whenever a district does not have sufficient  
8 money in its treasury to meet all necessary expenses and  
9 liabilities thereof, it may issue tax anticipation warrants.  
10 Such issue of tax anticipation warrants shall be subject to the  
11 provisions of Section 2 of "An Act to provide for the manner of  
12 issuing warrants upon the treasurer of the State or of any  
13 county, township, or other municipal corporation or quasi  
14 municipal corporation, or of any farm drainage district, river  
15 district, drainage and levee district, fire protection  
16 district and jurors' certificates", approved June 27, 1913, as  
17 now and hereafter amended.

18 (b) For the purpose of acquisition of real property, or  
19 rights thereto, or for the purpose of paying any capital  
20 expenditure, a district may incur indebtedness and, as evidence  
21 of the indebtedness thus created, may issue and sell bonds  
22 without first obtaining the consent of the legal voters of the  
23 district.

1           (c) (Blank). ~~For the purpose of development of real~~  
2 ~~property, a district may incur indebtedness and, as evidence of~~  
3 ~~the indebtedness thus created, may issue and sell bonds only~~  
4 ~~after the proposition to issue bonds has been submitted to the~~  
5 ~~legal voters of the district at an election and has been~~  
6 ~~approved by a majority of those voting on the proposition. Such~~  
7 ~~election is subject to Section 15.1 of this Act.~~

8           (d) No district shall become indebted in any manner or for  
9 any purpose, to any amount including existing indebtedness in  
10 the aggregate exceeding 0.575% of the value, as equalized or  
11 assessed by the Department of Revenue, of the taxable property  
12 therein; except that a district entirely within a county of  
13 under 750,000 inhabitants and contiguous to a county of more  
14 than 2,000,000 inhabitants may incur indebtedness, including  
15 existing indebtedness, in the aggregate not exceeding 1.725% of  
16 that value if the aggregate indebtedness over 0.575% is  
17 submitted to the legal voters of the district at an election  
18 and is approved by a majority of those voting on the  
19 proposition as provided in Section 15.1.

20           The following do not in any way limit the right of a  
21 district to issue non-referendum bonds under this Section:  
22 bonds heretofore or hereafter issued and outstanding that are  
23 approved by referendum, as described in this subsection (d);  
24 refunding bonds issued to refund or continue to refund bonds  
25 approved by referendum; or bonds issued under this Section that  
26 have been paid in full or for which provisions for payment have

1 been made by an irrevocable deposit of funds in an amount  
2 sufficient to pay the principal and interest on those bonds to  
3 their respective maturity date.

4 (e) Before or at the time of issuing bonds as described in  
5 this Section ~~for acquisition or development of real property,~~  
6 the district shall provide by ordinance for the collection of  
7 an annual tax, in addition to all other taxes authorized by  
8 this act, sufficient to pay such bonds and the interest thereon  
9 as the same respectively become due. Such bonds shall be  
10 divided into series, the first of which shall mature not later  
11 than 5 years after the date of issue and the last of which  
12 shall mature not later than 25 years after the date of issue;  
13 shall bear interest at a rate or rates not exceeding the  
14 maximum rate permitted in "An Act to authorize public  
15 corporations to issue bonds, other evidences of indebtedness  
16 and tax anticipation warrants subject to interest rate  
17 limitations set forth therein", approved May 26, 1970, as now  
18 or hereafter amended; shall be in such form as the district  
19 shall by resolution provide and shall be payable as to both  
20 principal and interest from the proceeds of the annual levy of  
21 taxes authorized to be levied by this Section, or so much  
22 thereof as will be sufficient to pay the principal thereof and  
23 the interest thereon. Prior to the authorization and issuance  
24 of such bonds the district may, with or without notice,  
25 negotiate and enter into an agreement or agreements with any  
26 bank, investment banker, trust company or insurance company or

1 group thereof whereunder the marketing of such bonds may be  
2 assured and consummated. The proceeds of such bonds shall be  
3 deposited in a special fund, to be kept separate and apart from  
4 all other funds of the conservation district.

5 (Source: P.A. 96-1178, eff. 7-22-10.)

6 (70 ILCS 410/15.1) (from Ch. 96 1/2, par. 7117)

7 Sec. 15.1. When the board of a district proposes to incur  
8 indebtedness and issue bonds, other than tax anticipation  
9 warrants, ~~for the purpose of development of real property or~~  
10 for the purpose of incurring indebtedness in the aggregate over  
11 0.575% as provided in subsection (d) of Section 15, it shall  
12 order a referendum on the proposition.

13 The district shall adopt an ordinance calling for the  
14 referendum and setting forth the proposition. The clerk or  
15 secretary of the district shall certify the ordinance and the  
16 proposition to the proper election officials who shall submit  
17 the proposition to the voters of the district at a referendum  
18 in accordance with the general election law. For a bond  
19 proposition put forward by a district organized under this Act,  
20 including a forest preserve district created under Section  
21 18.5, the ballot must have printed on it, but not as part of  
22 the proposition submitted, the following language:

23 The approximate impact of the proposed increase on the  
24 owner of a single-family home having a market value of  
25 (insert value) would be (insert amount) in the first year

1 of the increase if the increase is fully implemented.

2 (Source: P.A. 97-364, eff. 8-15-11.)