

# SB1252



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

SB1252

Introduced 2/17/2015, by Sen. Dale A. Righter

#### SYNOPSIS AS INTRODUCED:

60 ILCS 1/235-20

Amends the Township Code. Deletes the requirement that a township board must make a one-time transfer of monies from the township's general assistance fund to the general township fund within one year of August 21, 2007. Provides that no township that has certified a new general assistance levy or an increase in the levy in the previous calendar year (rather than during 2002) may transfer monies from the general assistance fund. Effective immediately

LRB099 09872 AWJ 30085 b

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 Township Code is amended by changing Section  
5 235-20 as follows:

6 (60 ILCS 1/235-20)

7 Sec. 235-20. General assistance tax.

8 (a) The township board may raise money by taxation deemed  
9 necessary to be expended to provide general assistance in the  
10 township to persons needing that assistance as provided in the  
11 Illinois Public Aid Code, including persons eligible for  
12 assistance under the Military Veterans Assistance Act, where  
13 that duty is provided by law. The tax for each fiscal year  
14 shall not be more than 0.10% of value, or more than an amount  
15 approved at a referendum held under this Section, as equalized  
16 or assessed by the Department of Revenue, and shall in no case  
17 exceed the amount needed in the township for general  
18 assistance. The board may decrease the maximum tax rate by  
19 ordinance.

20 (b) Except as otherwise provided in this subsection, if the  
21 board desires to increase the maximum tax rate, it shall order  
22 a referendum on that proposition to be held at an election in  
23 accordance with the general election law. The board shall

1 certify the proposition to the proper election officials, who  
2 shall submit the proposition to the voters at an election in  
3 accordance with the general election law. If a majority of the  
4 votes cast on the proposition is in favor of the proposition,  
5 the board may annually levy the tax at a rate not exceeding the  
6 higher rate approved by the voters at the election. If,  
7 however, the board has decreased the maximum tax rate under  
8 subsection (a), then it may, at any time after the decrease,  
9 increase the maximum tax rate, by ordinance, to a rate less  
10 than or equal to the maximum tax rate immediately prior to the  
11 board's ordinance to decrease the rate.

12 (c) If a city, village, or incorporated town having a  
13 population of more than 500,000 is located within or partially  
14 within a township, then the entire amount of the tax levied by  
15 the township for the purpose of providing general assistance  
16 under this Section on property lying within that city, village,  
17 or incorporated town, less the amount allowed for collecting  
18 the tax, shall be paid over by the treasurer of the township to  
19 the treasurer of the city, village, or incorporated town to be  
20 appropriated and used by the city, village, or incorporated  
21 town for the relief and support of persons needing general  
22 assistance residing in that portion of the city, village, or  
23 incorporated town located within the township in accordance  
24 with the Illinois Public Aid Code.

25 (d) Any taxes levied for general assistance before or after  
26 this Section takes effect may also be used for the payment of

1 warrants issued against and in anticipation of those taxes and  
2 accrued interest on those warrants and may also be used to pay  
3 the cost of administering that assistance.

4 (e) In any township with a population of less than 500,000  
5 that receives no State funding for the general assistance  
6 program and that has not issued anticipation warrants or  
7 otherwise borrowed monies for the administration of the general  
8 assistance program during the township's previous 3 fiscal  
9 years of operation, a one time transfer of monies from the  
10 township's general assistance fund may be made to the general  
11 township fund pursuant to action by the township board. This  
12 transfer may occur only to the extent that the amount of monies  
13 remaining in the general assistance fund after the transfer is  
14 equal to the greater of (i) the amount of the township's  
15 expenditures in the previous fiscal year for general assistance  
16 or (ii) an amount equal to either 0.10% of the last known total  
17 equalized value of all taxable property in the township, or  
18 100% of the highest amount levied for general assistance  
19 purposes in any of the three previous fiscal years. ~~The~~  
20 ~~transfer shall be completed no later than one year after the~~  
21 ~~effective date of this amendatory Act of the 92nd General~~  
22 ~~Assembly.~~ No township that has certified a new levy or an  
23 increase in the levy under this Section during the previous  
24 calendar year ~~2002~~ may transfer monies under this subsection.  
25 No action on the transfer of monies under this subsection shall  
26 be taken by the township board except at a township board

1 meeting. No monies transferred under this subsection shall be  
2 considered in determining whether the township qualifies for  
3 State funds to supplement local funds for public aid purposes  
4 under Section 12-21.13 of the Illinois Public Aid Code.

5 (Source: P.A. 95-331, eff. 8-21-07.)

6 Section 99. Effective date. This Act takes effect upon  
7 becoming law.