

1 AN ACT concerning an advisory referendum on a tax
2 increase to fund land preservation.

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

5 Section 1. Short title. This Act may be cited as the
6 Land Preservation Initiative Act.

7 Section 5. Advisory question. There shall be submitted
8 to the voters of the entire State at the 2002 general
9 election an advisory question that shall be placed on a
10 separate ballot and shall read as follows: Should the
11 Illinois General Assembly in order to protect the State's
12 recreational open space, natural areas, and farmland for
13 future generations approve legislation to increase the
14 Illinois State sales tax by 1/8 of one percent in order to
15 fund an Illinois Land Preservation Initiative?

16 The election authority must record the votes as "Yes" or
17 "No".

18 Section 95. The Election Code is amended by changing
19 Section 28-1 as follows:

20 (10 ILCS 5/28-1) (from Ch. 46, par. 28-1)

21 Sec. 28-1. The initiation and submission of all public
22 questions to be voted upon by the electors of the State or of
23 any political subdivision or district or precinct or
24 combination of precincts shall be subject to the provisions
25 of this Article.

26 Questions of public policy which have any legal effect
27 shall be submitted to referendum only as authorized by a
28 statute which so provides or by the Constitution. Advisory
29 questions of public policy shall be submitted to referendum

1 pursuant to Section 28-5 or pursuant to a statute which so
2 provides.

3 The method of initiating the submission of a public
4 question shall be as provided by the statute authorizing such
5 public question, or as provided by the Constitution.

6 All public questions shall be initiated, submitted and
7 printed on the ballot in the form required by Section 16-7 of
8 this Act, except as may otherwise be specified in the statute
9 authorizing a public question.

10 Whenever a statute provides for the initiation of a
11 public question by a petition of electors, the provisions of
12 such statute shall govern with respect to the number of
13 signatures required, the qualifications of persons entitled
14 to sign the petition, the contents of the petition, the
15 officer with whom the petition must be filed, and the form of
16 the question to be submitted. If such statute does not
17 specify any of the foregoing petition requirements, the
18 corresponding petition requirements of Section 28-6 shall
19 govern such petition.

20 Irrespective of the method of initiation, not more than 3
21 public questions other than (a) back door referenda, (b)
22 referenda to determine whether a disconnection may take place
23 where a city coterminous with a township is proposing to
24 annex territory from an adjacent township or (c) referenda
25 held under the provisions of the Property Tax Extension
26 Limitation Law in the Property Tax Code may be submitted to
27 referendum with respect to a political subdivision at the
28 same election.

29 If more than 3 propositions are timely initiated or
30 certified for submission at an election with respect to a
31 political subdivision, the first 3 validly initiated, by the
32 filing of a petition or by the adoption of a resolution or
33 ordinance of a political subdivision, as the case may be,
34 shall be printed on the ballot and submitted at that

1 election. However, except as expressly authorized by law not
2 more than one proposition to change the form of government of
3 a municipality pursuant to Article VII of the Constitution
4 may be submitted at an election. If more than one such
5 proposition is timely initiated or certified for submission
6 at an election with respect to a municipality, the first
7 validly initiated shall be the one printed on the ballot and
8 submitted at that election.

9 No public question shall be submitted to the voters of a
10 political subdivision at any regularly scheduled election at
11 which such voters are not scheduled to cast votes for any
12 candidates for nomination for, election to or retention in
13 public office, except that if, in any existing or proposed
14 political subdivision in which the submission of a public
15 question at a regularly scheduled election is desired, the
16 voters of only a portion of such existing or proposed
17 political subdivision are not scheduled to cast votes for
18 nomination for, election to or retention in public office at
19 such election, but the voters in one or more other portions
20 of such existing or proposed political subdivision are
21 scheduled to cast votes for nomination for, election to or
22 retention in public office at such election, the public
23 question shall be voted upon by all the qualified voters of
24 the entire existing or proposed political subdivision at the
25 election.

26 Not more than 3 advisory public questions may be
27 submitted to the voters of the entire state at a general
28 election. If more than 3 such advisory propositions are
29 initiated, the first 3 timely and validly initiated shall be
30 the questions printed on the ballot and submitted at that
31 election; provided however, that a question for a proposed
32 amendment to Article IV of the Constitution, pursuant to
33 Section 3, Article XIV of the Constitution, or ~~for~~ a question
34 submitted under the Property Tax Cap Referendum Law or the

1 Land Preservation Initiative Act, shall not be included in
2 the foregoing limitation.

3 (Source: P.A. 88-116; 89-510, eff. 7-11-96.)