10000HB5727ham002   LRB100 19367 AWJ 38174 a

1   AMENDMENT TO HOUSE BILL 5727

2   AMENDMENT NO. _____. Amend House Bill 5727 by replacing

3   everything after the enacting clause with the following:

4   "Section 5. The Illinois Municipal Code is amended by

5   adding Section 7-1-5.4 as follows:

6   (65 ILCS 5/7-1-5.4 new)

7   Sec. 7-1-5.4. Backdoor referendum in certain annexing

8   municipalities.

9   (a) Notwithstanding any other provision of law, in any

10   annexing municipality located within 5 miles of the Midewin

11   National Tallgrass Prairie and the Abraham Lincoln National

12   Cemetery that, on or after April 1, 2018, has approved an

13   ordinance, resolution, or vote authorizing the annexation of

14   contiguous territory of over 100 acres for a private

15   development, the annexation is subject to a backdoor referendum

16   upon the filing of a petition for a referendum meeting the

1   requirements of this Section.

2   (b) A referendum under this Section shall be submitted to

3   the eligible voters residing in a municipality within 5 miles

4   of the Midewin National Tallgrass Prairie and the Abraham

5   Lincoln National Cemetery that has approved an ordinance,

6   resolution, or vote authorizing the annexation of contiguous

7   territory of over 100 acres for private development on the

8   question of whether the municipality's annexation of that

9   territory shall occur.

10   (c) Petitions under this Section must contain a total

11   number of signatures equal in number to at least 50% of the

12   entire vote cast for all candidates for mayor or president of

13   the annexing municipality at the last preceding general

14   municipal election. Petitions shall be filed with the clerk or

15   secretary of the municipality no later than 30 days following

16   the municipality's approval of the ordinance, resolution, or

17   vote authorizing the annexation of contiguous territory and

18   shall meet the requirements of Section 28-3 of the Election

19   Code.

20   (d) Upon the filing of a petition meeting the requirements

21   of subsection (c), the municipality shall not complete the

22   annexation approved in its ordinance, resolution, or vote until

23   after a referendum is held. The referendum shall be held at the

24   general election or municipal election, whichever occurs

25   first, next following the filing of a petition, provided that

26   the municipal election is no less than 90 days following the

1   date of filing.

2   (e) Subject to the requirements of Section 16-7 of the

3   Election Code, the referendum shall be in substantially the

4   following form:

5   Shall (municipality) annex (area being annexed)?

6   Votes must be recorded as "yes" or "no".

7   (f) The referendum is approved and annexation may continue

8   when a majority of voters residing in the municipality approve

9   the referendum. If a majority of the voters residing in the

10   municipality vote against the referendum, the municipality may

11   not attempt to annex the territory for a period of no less than

12   2 years from the date it approved the ordinance, resolution, or

13   vote authorizing the annexation of the territory.

14   (g) This Section is repealed on January 1, 2023.

15   Section 99. Effective date. This Act takes effect upon

16   becoming law.".