

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 5, 13, and 15 as follows:

6 (70 ILCS 410/5) (from Ch. 96 1/2, par. 7105)

7 Sec. 5. Board of trustees.

8 (a) The affairs of a conservation district shall be managed  
9 by a board which shall consist of 5 trustees, except as  
10 otherwise provided in this Section. If the boundaries of the  
11 district are coextensive with the boundaries of one county, the  
12 trustees shall be residents of that county. If the district  
13 embraces 2 counties, 3 trustees shall be residents of the  
14 county with the larger population and 2 trustees shall be  
15 residents of the other county. If the district embraces 3  
16 counties, one trustee shall be a resident of the county with  
17 the smallest population and each of the other counties shall  
18 have 2 resident trustees. If the district embraces 4 counties,  
19 2 trustees shall be residents of the county with the largest  
20 population and each of the other counties shall have one  
21 resident trustee. If the district embraces 5 counties, each  
22 county shall have one resident trustee.

23 (b) A district that is entirely within a county of under  
24 750,000 ~~300,000~~ inhabitants and contiguous to a county of more  
25 than 2,000,000 inhabitants and that is authorized by referendum  
26 as provided in subsection (d) of Section 15 to incur  
27 indebtedness over 0.575% but not to exceed 1.725% shall have a  
28 board consisting of 7 trustees, all of whom shall be residents  
29 of the county. The additional 2 trustees shall be appointed by  
30 the chairman of the county board, with the consent of the  
31 county board, and shall hold office for terms expiring on June  
32 30 as follows: one trustee after 4 years and one trustee after

1 5 years from the date of the referendum. Successor trustees  
2 shall be appointed in the same manner no later than June 1  
3 before the commencement of the term of the trustee.

4 (c) Trustees shall be qualified voters of such district who  
5 do not hold any other public office and are not officers of any  
6 political party. Trustees, if nominated by the county board  
7 chairman as hereinafter provided, shall be selected on the  
8 basis of their demonstrated interest in the purpose of  
9 conservation districts.

10 (d) The chairman of the county board for the county of  
11 which the trustee is a resident shall, with the consent of the  
12 county board of that county, appoint the first trustees who  
13 shall hold office for terms expiring on June 30 after one, 2,  
14 3, 4, and 5 year periods respectively as determined and fixed  
15 by lot. Thereafter, successor trustees shall be appointed in  
16 the same manner no later than June 1 prior to the commencement  
17 of term of the trustee.

18 (e) Each successor trustee shall serve for a term of 5  
19 years. A vacancy occurring otherwise than by expiration of term  
20 shall be filled for the unexpired term by appointment of a  
21 trustee by the county board chairman of the county of which the  
22 trustee shall be a resident, with the approval of the county  
23 board of that county. A trustee who has served a full term of 5  
24 years is ineligible to serve as a trustee for a period of one  
25 year following the expiration of his term. When any trustee  
26 during his term of office shall cease to be a bona fide  
27 resident of the district he is disqualified as a trustee and  
28 his office becomes vacant.

29 (f) Trustees shall serve without compensation, but may be  
30 paid their actual and necessary expenses incurred in the  
31 performance of their official duties.

32 (g) A trustee may be removed for cause by the county board  
33 chairman for the county of which the trustee is a resident,  
34 with the approval of the county board of that county, but every  
35 such removal shall be by a written order, which shall be filed  
36 with the county clerk.

1 (h) A conservation district with 5 trustees may determine  
2 by majority vote of the board to increase the size of the board  
3 to 7 trustees. With respect to a 7-member board, no more than 3  
4 members may be residents of any township in a county under  
5 township organization or of any congressional township in a  
6 county not under township organization. In the case of a  
7 7-member board representing a district that embraces 2  
8 counties, 4 trustees shall be residents of the county with the  
9 larger population and 3 trustees shall be residents of the  
10 other county. If the district embraces 3 counties, 2 trustees  
11 shall be residents of each of the 2 counties with the smallest  
12 population and the largest county shall have 3 resident  
13 trustees. If the district embraces 4 counties, one trustee  
14 shall be a resident of the county with the smallest population  
15 and each of the other counties shall have 2 resident trustees.  
16 If the district embraces 5 counties, the 2 counties with the  
17 largest population shall each have 2 resident trustees and each  
18 of the other counties shall have one resident trustee. The  
19 pertinent appointing authorities shall appoint the additional  
20 2 trustees to initial terms as equally staggered as possible  
21 from the terms of the trustees already appointed from that  
22 township or county so that 2 trustees representing the same  
23 area shall not be succeeded in the same year.

24 (Source: P.A. 90-195, eff. 7-24-97; 91-629, eff. 8-19-99.)

25 (70 ILCS 410/13) (from Ch. 96 1/2, par. 7114)

26 Sec. 13. The fiscal year of each district shall commence  
27 April 1 and extend through the following March 31.

28 The board shall, within the first quarter of each fiscal  
29 year, adopt a combined annual budget and appropriation  
30 ordinance as provided in the Illinois Municipal Budget Law. In  
31 a district located entirely within a county with a population  
32 of less than 750,000 ~~300,000~~ that is contiguous to a county  
33 with a population of more than 2,000,000, the district's  
34 combined annual budget and appropriation ordinance shall not be  
35 considered to be adopted until it is also adopted by resolution

1 of the county board of the county in which the district is  
2 located.

3 Except as otherwise provided in this Act, a district may  
4 annually levy taxes upon all the taxable property therein at  
5 the value thereof, as equalized or assessed by the Department  
6 of Revenue, to be extended at not more than the rates and for  
7 the purposes specified hereinafter:

8 (1) 0.025% for the general purposes of the district,  
9 including acquisition and development of real property  
10 which may be in excess of current requirements and allowed  
11 to accumulate from year to year, and for any purposes  
12 specified by the district; however, no tax may be extended  
13 at a rate that will result in accumulation of any amount  
14 representing more than 0.075% of the equalized assessed  
15 valuation of the district.

16 (2) 0.075% for acquisition of real property, which may  
17 be in excess of current requirements and allowed to  
18 accumulate from year to year, and for any purposes  
19 specified by the district; however, no tax may be extended  
20 at a rate that will result in accumulation of any amount  
21 representing more than 0.25% of the equalized assessed  
22 valuation of the district.

23 (3) 0.1%, in lieu of the two rates specified in (1) and  
24 (2) above, for the general purposes of the district,  
25 including the acquisition, development, operation and  
26 maintenance of real property which may be in excess of  
27 current requirements and allowed to accumulate from year to  
28 year, and for any purposes specified by the district;  
29 however, no tax may be extended at a rate that will result  
30 in accumulation of any amount representing more than 0.325%  
31 of the equalized assessed valuation of the district.

32 Except as provided in some other Act, a district may not  
33 levy annual taxes, for all its purposes in the aggregate, in  
34 excess of 0.1% of the value, as equalized or assessed by the  
35 Department of Revenue, of the taxable property therein.

36 After the adoption of the combined budget and appropriation

1 ordinance and within the second quarter of each fiscal year,  
2 the board shall ascertain the total amount of the  
3 appropriations legally made which are to be provided for from  
4 tax levies for the current year. Then, by an ordinance  
5 specifying in detail the purposes for which such appropriations  
6 have been made and the amounts appropriated for such purposes,  
7 the board shall levy not to exceed the total amount so  
8 ascertained upon all the property subject to taxation within  
9 the district as the same is assessed and equalized for state  
10 and county purposes for the current year. A certified copy of  
11 such ordinance shall be filed on or before the first Tuesday in  
12 October with the clerk of each county wherein the district or  
13 any part thereof is located.

14 (Source: P.A. 91-629, eff. 8-19-99.)

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

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

27 (b) For the purpose of acquisition of real property, or  
28 rights thereto, a district may incur indebtedness and, as  
29 evidence of the indebtedness thus created, may issue and sell  
30 bonds without first obtaining the consent of the legal voters  
31 of the district.

32 (c) For the purpose of development of real property, a  
33 district may incur indebtedness and, as evidence of the  
34 indebtedness thus created, may issue and sell bonds only after  
35 the proposition to issue bonds has been submitted to the legal

1 voters of the district at an election and has been approved by  
2 a majority of those voting on the proposition. Such election is  
3 subject to Section 15.1 of this Act.

4 (d) No district shall become indebted in any manner or for  
5 any purpose, to any amount including existing indebtedness in  
6 the aggregate exceeding 0.575% of the value, as equalized or  
7 assessed by the Department of Revenue, of the taxable property  
8 therein; except that a district entirely within a county of  
9 under 750,000 ~~300,000~~ inhabitants and contiguous to a county of  
10 more than 2,000,000 inhabitants may incur indebtedness,  
11 including existing indebtedness, in the aggregate not  
12 exceeding 1.725% of that value if the aggregate indebtedness  
13 over 0.575% is submitted to the legal voters of the district at  
14 an election and is approved by a majority of those voting on  
15 the proposition as provided in Section 15.1.

16 (e) Before or at the time of issuing bonds for acquisition  
17 or development of real property, the district shall provide by  
18 ordinance for the collection of an annual tax, in addition to  
19 all other taxes authorized by this act, sufficient to pay such  
20 bonds and the interest thereon as the same respectively become  
21 due. Such bonds shall be divided into series, the first of  
22 which shall mature not later than 5 years after the date of  
23 issue and the last of which shall mature not later than 20  
24 years after the date of issue; shall bear interest at a rate or  
25 rates not exceeding the maximum rate permitted in "An Act to  
26 authorize public corporations to issue bonds, other evidences  
27 of indebtedness and tax anticipation warrants subject to  
28 interest rate limitations set forth therein", approved May 26,  
29 1970, as now or hereafter amended; shall be in such form as the  
30 district shall by resolution provide and shall be payable as to  
31 both principal and interest from the proceeds of the annual  
32 levy of taxes authorized to be levied by this Section, or so  
33 much thereof as will be sufficient to pay the principal thereof  
34 and the interest thereon. Prior to the authorization and  
35 issuance of such bonds the district may, with or without  
36 notice, negotiate and enter into an agreement or agreements

1 with any bank, investment banker, trust company or insurance  
2 company or group thereof whereunder the marketing of such bonds  
3 may be assured and consummated. The proceeds of such bonds  
4 shall be deposited in a special fund, to be kept separate and  
5 apart from all other funds of the conservation district.

6 (Source: P.A. 91-629, eff. 8-19-99.)

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