



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4462

by Rep. Harry R. Ramey, Jr.

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-1009.5 new

Amends the Counties Code. Provides that Kane County may levy an annual tax for farmland preservation easement purposes. Provides that the tax may not exceed 0.05% of the equalized assessed value of taxable property in the county. Provides that the tax must be approved by referendum. Provides that the tax may be discontinued by referendum.

LRB095 17210 HLH 43270 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 Counties Code is amended by adding Section
5 5-1009.5 as follows:

6 (55 ILCS 5/5-1009.5 new)

7 Sec. 5-1009.5. Tax for county farmland preservation
8 easement purposes; Kane County.

9 (a) Whenever a petition signed by 100 taxpayers residing in
10 Kane County is presented to the county board of Kane County
11 requesting the submission of a proposition, or if the county
12 board of Kane County adopts a resolution requesting the
13 submission of a proposition, of whether or not an annual tax
14 shall be levied at a rate not to exceed 0.05% of the value, as
15 equalized or assessed by the Department of Revenue, on all
16 taxable property in the county for the purpose of creating and
17 maintaining a fund for county farmland preservation easement
18 purposes, that county board shall adopt a resolution for the
19 submission of the proposition at the next regular election held
20 in the county. The county board shall certify the resolution
21 and the proposition to the proper election officials, who shall
22 submit the proposition at an election in accordance with the
23 general election law. The foregoing limitations upon tax rates

1 may be increased or decreased under the referendum provisions
2 of the General Revenue Law of Illinois.

3 (b) Upon the adoption of the resolution and the
4 certification thereof to the county clerk of the county, the
5 proposition shall be submitted at the next regular election
6 held in the county.

7 The proposition shall be in substantially the following
8 form:

9 Shall an annual tax of not to exceed 0.05% be levied in
10 Kane County for county farmland preservation easement
11 purposes in the county?

12 Votes shall be recorded as "yes" or "no".

13 If a majority of the legal voters of the county voting on
14 the proposition vote in favor thereof, the proposition shall be
15 deemed adopted.

16 (c) Upon the adoption of the proposition in accordance with
17 subsection (b), the county board shall cause an annual tax of
18 not to exceed 0.05% of value, as equalized or assessed by the
19 Department of Revenue, of all taxable property of the county to
20 be levied upon all the taxable property in the county for
21 county farmland preservation easement purposes. Any tax
22 imposed under this Section shall be in addition to all other
23 taxes authorized by law to be levied and collected in the
24 county and shall be in addition to the maximum of taxes
25 authorized by law for county purposes. The foregoing
26 limitations upon tax rates may be increased or decreased

1 according to the referendum provisions of the General Revenue
2 Law of Illinois.

3 (d) The proceeds of the tax authorized under this Section
4 shall be paid into a separate fund in the county treasury to be
5 known as the County Farmland Preservation Easement Fund. That
6 fund may be used by the county board for the purchase of
7 easements to preserve farmland within the county. The fund
8 shall be expended in the same manner and subject to the same
9 requirements as other county expenditures.

10 (e) If Kane County has authorized a tax for county farmland
11 preservation easement purposes under the provisions of this
12 Section, and a petition signed by 100 taxpayers residing in
13 Kane County is presented to the county board of Kane County
14 requesting a proposition whether or not the tax for county
15 farmland preservation easement purposes in the county shall be
16 discontinued, the county board shall adopt a resolution
17 providing for the submission of the proposition to the voters
18 of the county at the next regular election held in accordance
19 with the general election law.

20 If a majority of the voters of the county voting upon the
21 proposition are in favor thereof, then the proposition shall be
22 deemed adopted and the tax shall be discontinued in the county.
23 In case any funds remain to the credit of the County Farmland
24 Preservation Easement Fund after the tax has been discontinued,
25 those remaining funds shall be paid into the general fund for
26 county purposes in the county treasury. All previously executed

1 farmland preservation easements shall be in effect until the
2 termination of the easements as provided in each easement
3 agreement.