



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

SB1936

Introduced 2/20/2009, by Sen. A. J. Wilhelmi

#### SYNOPSIS AS INTRODUCED:

35 ILCS 200/27-45

Amends the Property Tax Code. Authorizes the issuance of refunding bonds for special service area bonds and sets forth requirements for the term and debt service of the refunding bonds. Provides that specified property taxes in 2 or more special service areas may be pledged to secure a single bond issue benefitting the special service areas if those special service areas are within the corporate limits of a municipality. Provides that property taxes that are pledged to secure a single bond issue benefitting more than one special service area shall be levied on a basis that provides a rational relationship between the amount of the tax levied against each lot, block, tract, and parcel of land in the special service area and the special service benefit rendered. Effective immediately.

LRB096 10999 HLH 21283 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning revenue.

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

4 Section 5. The Property Tax Code is amended by changing  
5 Section 27-45 as follows:

6 (35 ILCS 200/27-45)

7 Sec. 27-45. Issuance of bonds. Bonds secured by the full  
8 faith and credit of the area included in the special service  
9 area may be issued for providing the special services. Bonds,  
10 when so issued, shall be retired by the levy of taxes in  
11 addition to the taxes specified in Section 27-25 against all of  
12 the taxable real property included in the area as provided in  
13 the ordinance authorizing the issuance of the bonds or by the  
14 imposition of another tax within the special service area. The  
15 county clerk shall annually extend taxes against all of the  
16 taxable property situated in the county and contained in such  
17 special service area in amounts sufficient to pay maturing  
18 principal and interest of those bonds without limitation as to  
19 rate or amount and in addition to and in excess of any taxes  
20 that may now or hereafter be authorized to be levied by the  
21 municipality or county. Prior to the issuance of those bonds,  
22 notice shall be given and a hearing shall be held pursuant to  
23 the provisions of Sections 27-30 and 27-35. For purposes of

1 this Section a notice shall include:

2 (a) The time and place of hearing;

3 (b) The boundaries of the area by legal description  
4 and, where possible, by street location;

5 (c) The permanent tax index number of each parcel  
6 located within the area;

7 (d) The nature of the special services to be provided  
8 within the proposed special service area and a statement as  
9 to whether the proposed special services are for new  
10 construction, maintenance, or other purposes;

11 (e) If the special services are to be maintained other  
12 than by the municipality or the county after the life of  
13 the bonds, then a statement indicating who will be  
14 responsible for maintenance of the special services after  
15 the life of the bonds;

16 (f) A notification that all interested persons,  
17 including all persons owning taxable property located  
18 within the special service area, will be given an  
19 opportunity to be heard at the hearing regarding the  
20 issuance of the bonds and an opportunity to file objections  
21 to the issuance of the bonds; and

22 (g) The maximum amount of bonds proposed to be issued,  
23 the maximum period of time over which the bonds will be  
24 retired, and the maximum interest rate the bonds will bear.

25 The question of the creation of a special service area, the  
26 levy or imposition of a tax in the special service area and the

1 issuance of bonds for providing special services may all be  
2 considered together at one hearing.

3 Any bonds issued shall not exceed the number of bonds, the  
4 interest rate and the period of extension set forth in the  
5 notice, unless an additional hearing is held.

6 Special service area bonds may be issued to refund or  
7 advance refund special service area bonds without meeting any  
8 of the conditions set forth in this Section, except that the  
9 term of the refunding bonds may not be longer than the term of  
10 the refunded bonds and the debt service payable in any year on  
11 the refunding bonds may not exceed the debt service payable in  
12 that year on the refunded bonds.

13 Property taxes levied under the provisions of Section 27-75  
14 of this Code in 2 or more special service areas established  
15 under this Article 27 may be pledged to secure a single bond  
16 issue benefitting the special service areas if those special  
17 service areas are within the corporate limits of a  
18 municipality. Any such property taxes must be levied on a basis  
19 that provides a rational relationship between the amount of the  
20 tax levied against each lot, block, tract, and parcel of land  
21 in each special service area and the special service benefit  
22 rendered. The changes made by this amendatory Act of the 96th  
23 General Assembly do not change any other terms, duties, or  
24 powers of a special service area under this Article.

25 Bonds issued pursuant to this Article shall not be regarded  
26 as indebtedness of the municipality or county, as the case may

1 be, for the purpose of any limitation imposed by any law.

2 (Source: P.A. 93-1013, eff. 8-24-04.)

3 Section 99. Effective date. This Act takes effect upon  
4 becoming law.