



Rep. Ed Sullivan, Jr.

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09700HB0587ham001

LRB097 03414 KMW 55442 a

1 AMENDMENT TO HOUSE BILL 587

2 AMENDMENT NO. _____. Amend House Bill 587 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Park District Code is amended by changing
5 Sections 5-1 and 5-2 as follows:

6 (70 ILCS 1205/5-1) (from Ch. 105, par. 5-1)

7 Sec. 5-1. Each Park District has the power to levy and
8 collect taxes on all the taxable property in the district for
9 all corporate purposes. The commissioners may accumulate funds
10 for the purposes of building repairs and improvements and may
11 annually levy taxes for such purposes in excess of current
12 requirements for its other purposes but subject to the tax rate
13 limitation as herein provided.

14 All general taxes proposed by the board to be levied upon
15 the taxable property within the district shall be levied by
16 ordinance. A certified copy of such levy ordinance shall be

1 filed with the county clerk of the county in which the same is
2 to be collected not later than the last Tuesday in December in
3 each year. The county clerk shall extend such tax; provided,
4 the aggregate amount of taxes levied for any one year,
5 exclusive of the amount levied for the payment of the principal
6 and interest on bonded indebtedness of the district and taxes
7 authorized by special referenda, shall not exceed, except as
8 otherwise provided in this Section, the rate of .10%, or the
9 rate limitation in effect on July 1, 1967, whichever is
10 greater, of the value, as equalized or assessed by the
11 Department of Revenue.

12 Notwithstanding any other provision of this Section, a park
13 district board of a park district lying wholly within one
14 county is authorized to increase property taxes under this
15 Section for corporate purposes for any one year so long as the
16 increase is offset by a like property tax levy reduction in one
17 or more of the park district's funds. At the time that such
18 park district files its levy with the county clerk, it shall
19 also certify to the county clerk that the park district has
20 complied with and is authorized to act under this Section 5-1
21 of the Park District Code. In no instance shall the increase
22 either exceed or result in a reduction to the extension
23 limitation to which any park district is subject under Section
24 18-195 of the Property Tax Code.

25 Notwithstanding any provision of this Section to the
26 contrary, if a park district is subject to Section 18-195 of

1 the Property Tax Code and does not levy the tax authorized by
2 Section 5-3, then it may increase the property tax levy under
3 this Section for corporate purposes to a total rate not to
4 exceed the total of rates authorized by this Section and
5 Section 5-3 as long as the increase is offset by a like
6 property tax levy reduction in one or more of the park
7 district's funds. In no instance shall the increase for
8 corporate purposes cause the park district to exceed the
9 limiting rate that the park district is subject to under
10 Section 18-195 of the Property Tax Code.

11 Any funds on hand at the end of the fiscal year that are
12 not pledged for or allocated to a particular purpose may, by
13 action of the board of commissioners, be transferred to a
14 capital improvement fund and accumulated therein, but the total
15 amount accumulated in the fund may not exceed 1.5% of the
16 aggregate assessed valuation of all taxable property in the
17 park district.

18 The foregoing limitations upon tax rates may be decreased
19 under the referendum provisions of the General Revenue Law of
20 the State of Illinois.

21 (Source: P.A. 95-331, eff. 8-21-07.)

22 (70 ILCS 1205/5-2) (from Ch. 105, par. 5-2)

23 Sec. 5-2. Any park district may levy and collect annually,
24 a tax of not to exceed .12% of the value, as equalized or
25 assessed by the Department of Revenue, of all taxable property

1 in such district for the purpose of planning, establishing and
2 maintaining recreational programs, such programs to include
3 playgrounds, community and recreational centers, which tax
4 shall be levied and collected in like manner as the general
5 taxes for such district. Such tax shall be in addition to all
6 other taxes authorized by law to be levied and collected in
7 such district and shall not be included within any limitation
8 of rate contained in this Code or any other law, but shall be
9 excluded therefrom and be in addition thereto and in excess
10 thereof.

11 The proceeds of the tax authorized by this Section shall be
12 paid to the treasurer of such district and kept in a fund to be
13 known as the recreational program fund. Such fund shall be used
14 for the planning, establishing and maintaining recreational
15 programs carried on by such district.

16 No such tax in excess of .075% shall be levied in any such
17 district, until the question of levying such tax has first been
18 submitted to the voters of such district at an election held in
19 such district and has been approved by a majority of such
20 voters voting thereon. The board shall certify such proposition
21 to the proper election officials, who shall submit such
22 proposition to the voters of the district regardless of whether
23 or not a petition, signed by electors of the district,
24 requesting the submission thereof has been filed with the
25 board. Notice of such referendum shall be given and such
26 referendum shall be conducted in the manner provided by the

1 general election law.

2 The proposition shall be in substantially the following
3 form:

4 -----

5 Shall the.... Park District

6 be authorized and empowered to

7 levy and collect a tax of.... YES

8 per cent for the purpose of

9 recreational programs (and,

10 optionally, insert specific -----

11 purposes or programs as

12 determined by the park district

13 board) as provided in Section NO

14 5-2 of "The Park District Code"?

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16 If a majority of the voters of such district voting thereon
17 shall vote for the levy and collection of the tax, such
18 district is authorized and empowered to levy and collect such
19 tax annually thereafter. Any tax previously authorized by
20 referendum for recreation and community centers under "An Act
21 to amend Section 8 of An Act to provide for the creation of
22 Pleasure Driveway and Park Districts, approved June 19, 1893,
23 as amended and to add Sections 8a, 8b, 8c, and 8d thereto",
24 approved February 27, 1935, as amended, shall continue to be
25 levied and shall be treated as having been authorized under
26 this Section.

1 Notwithstanding any provision of this Section to the
2 contrary, if a park district is subject to Section 18-195 of
3 the Property Tax Code and does not levy the tax authorized by
4 Section 5-3a, then it may increase the property tax levy under
5 this Section for the purpose of planning, establishing, and
6 maintaining recreational programs carried on by the district to
7 a total rate not to exceed the total of rates authorized by
8 this Section and Section 5-3a as long as the increase is offset
9 by a like property tax levy reduction in one or more of the
10 park district's funds. In no instance shall the increase for
11 the purpose of planning, establishing, and maintaining
12 recreation programs cause the park district to exceed the
13 limiting rate that the park district is subject to under
14 Section 18-195 of the Property Tax Code.

15 The foregoing limitations upon tax rates may be decreased
16 under the referendum provisions of the General Revenue Law of
17 the State of Illinois.

18 (Source: P.A. 93-434, eff. 8-5-03.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law."