



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1322

Introduced 2/9/2011, by Rep. Al Riley

SYNOPSIS AS INTRODUCED:

65 ILCS 5/8-4-1

from Ch. 24, par. 8-4-1

Amends the Illinois Municipal Code. Provides that the corporate authorities of a non-home rule municipality, without submitting the question of authorization to the electors, may authorize the issuance of bonds.

LRB097 07672 PJG 47783 b

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 Illinois Municipal Code is amended by
5 changing Section 8-4-1 as follows:

6 (65 ILCS 5/8-4-1) (from Ch. 24, par. 8-4-1)

7 Sec. 8-4-1. No bonds shall be issued by the corporate
8 authorities of any municipality until the question of
9 authorizing such bonds has been submitted to the electors of
10 that municipality provided that notice of the bond referendum,
11 if held before July 1, 1999, has been given in accordance with
12 the provisions of Section 12-5 of the Election Code in effect
13 at the time of the bond referendum, at least 10 and not more
14 than 45 days before the date of the election, notwithstanding
15 the time for publication otherwise imposed by Section 12-5, and
16 approved by a majority of the electors voting upon that
17 question. Notices required in connection with the submission of
18 public questions on or after July 1, 1999 shall be as set forth
19 in Section 12-5 of the Election Code. The clerk shall certify
20 the proposition of the corporate authorities to the proper
21 election authority who shall submit the question at an election
22 in accordance with the general election law, subject to the
23 notice provisions set forth in this Section. However, on and

1 after the effective date of this amendatory Act of the 97th
2 General Assembly, the corporate authorities of a non-home rule
3 municipality may authorize the issuance of bonds without
4 submitting the question of authorizing those bonds to the
5 electors of that municipality.

6 Notice of any such election shall contain the amount of the
7 bond issue, purpose for which issued, and maximum rate of
8 interest.

9 However, without the submission of the question of issuing
10 bonds to the electors, the corporate authorities of any
11 municipality may authorize the issuance of any of the following
12 bonds:

13 (1) Bonds to refund any existing bonded indebtedness;

14 (2) Bonds to fund or refund any existing judgment
15 indebtedness;

16 (3) In any municipality of less than 500,000 population,
17 bonds to anticipate the collection of installments of special
18 assessments and special taxes against property owned by the
19 municipality and to anticipate the collection of the amount
20 apportioned to the municipality as public benefits under
21 Article 9;

22 (4) Bonds issued by any municipality under Sections 8-4-15
23 through 8-4-23, 11-23-1 through 11-23-12, 11-25-1 through
24 11-26-6, 11-71-1 through 11-71-10, 11-74.3-1 through
25 11-74.3-7, 11-74.4-1 through 11-74.4-11, 11-74.5-1 through
26 11-74.5-15, 11-94-1 through 11-94-7, 11-102-1 through

1 11-102-10, 11-103-11 through 11-103-15, 11-118-1 through
2 11-118-6, 11-119-1 through 11-119-5, 11-129-1 through
3 11-129-7, 11-133-1 through 11-133-4, 11-139-1 through
4 11-139-12, 11-141-1 through 11-141-18 of this Code or 10-801
5 through 10-808 of the Illinois Highway Code, as amended;

6 (5) Bonds issued by the board of education of any school
7 district under the provisions of Sections 34-30 through 34-36
8 of The School Code, as amended;

9 (6) Bonds issued by any municipality under the provisions
10 of Division 6 of this Article 8; and by any municipality under
11 the provisions of Division 7 of this Article 8; or under the
12 provisions of Sections 11-121-4 and 11-121-5;

13 (7) Bonds to pay for the purchase of voting machines by any
14 municipality that has adopted Article 24 of The Election Code,
15 approved May 11, 1943, as amended;

16 (8) Bonds issued by any municipality under Sections 15 and
17 46 of the "Environmental Protection Act", approved June 29,
18 1970;

19 (9) Bonds issued by the corporate authorities of any
20 municipality under the provisions of Section 8-4-25 of this
21 Article 8;

22 (10) Bonds issued under Section 8-4-26 of this Article 8 by
23 any municipality having a board of election commissioners;

24 (11) Bonds issued under the provisions of "An Act to
25 provide the manner of levying or imposing taxes for the
26 provision of special services to areas within the boundaries of

1 home rule units and nonhome rule municipalities and counties",
2 approved September 21, 1973;

3 (12) Bonds issued under Section 8-5-16 of this Code;

4 (13) Bonds to finance the cost of the acquisition,
5 construction or improvement of water or wastewater treatment
6 facilities mandated by an enforceable compliance schedule
7 developed in connection with the federal Clean Water Act or a
8 compliance order issued by the United States Environmental
9 Protection Agency or the Illinois Pollution Control Board;
10 provided that such bonds are authorized by an ordinance adopted
11 by a three-fifths majority of the corporate authorities of the
12 municipality issuing the bonds which ordinance shall specify
13 that the construction or improvement of such facilities is
14 necessary to alleviate an emergency condition in such
15 municipality;

16 (14) Bonds issued by any municipality pursuant to Section
17 11-113.1-1;

18 (15) Bonds issued under Sections 11-74.6-1 through
19 11-74.6-45, the Industrial Jobs Recovery Law of this Code;

20 (16) Bonds issued under the Innovation Development and
21 Economy Act, except as may be required by Section 35 of that
22 Act.

23 (Source: P.A. 96-939, eff. 6-24-10; 96-1394, eff. 7-29-10;
24 revised 9-2-10.)