



Sen. Terry Link

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1 AMENDMENT TO SENATE BILL 409

2 AMENDMENT NO. _____. Amend Senate Bill 409 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by changing
5 Sections 27-25 and 27-30 and by adding Section 27-32 as
6 follows:

7 (35 ILCS 200/27-25)

8 Sec. 27-25. Form of hearing notice. Taxes may be levied or
9 imposed by the municipality or county in the special service
10 area at a rate or amount of tax sufficient to produce revenues
11 required to provide the special services. Prior to the first
12 levy of taxes in the special service area, notice shall be
13 given and a hearing shall be held under the provisions of
14 Sections 27-30 and 27-35. For purposes of this Section the
15 notice shall include:

16 (a) The time and place of hearing;

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

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

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

9 (d-5) The proposed amount of the tax levy for special
10 services for the initial year for which taxes will be
11 levied within the special service area;

12 (e) A notification that all interested persons,
13 including all persons owning taxable real property located
14 within the special service area, will be given an
15 opportunity to be heard at the hearing regarding the tax
16 levy and an opportunity to file objections to the amount of
17 the tax levy if the tax is a tax upon property; and

18 (f) The maximum rate of taxes to be extended within the
19 special service area in any year and the maximum number of
20 years taxes will be levied if a maximum number of years is
21 to be established.

22 After the first levy of taxes within the special service
23 area, taxes may continue to be levied in subsequent years
24 without the requirement of an additional public hearing if the
25 tax rate does not exceed the rate specified in the notice for
26 the original public hearing and the taxes are not extended for

1 a longer period than the number of years specified in the
2 notice if a number of years is specified. Tax rates may be
3 increased and the period specified may be extended, if notice
4 is given and new public hearings are held in accordance with
5 Sections 27-30 and 27-35.

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

7 (35 ILCS 200/27-30)

8 Sec. 27-30. Manner of notice. Prior to or within 60 days
9 after the adoption of the ordinance proposing the establishment
10 of a special service area the municipality or county shall fix
11 a time and a place for a public hearing. The public hearing
12 shall be held not less than 60 days after the adoption of the
13 ordinance proposing the establishment of a special service
14 area. Notice of the hearing shall be given by publication and
15 mailing, except that notice of a public hearing to propose the
16 establishment of a special service area for weather
17 modification purposes may be given by publication only. Notice
18 by publication shall be given by publication at least once not
19 less than 15 days prior to the hearing in a newspaper of
20 general circulation within the municipality or county. Notice
21 by mailing shall be given by depositing the notice in the
22 United States mails addressed to the person or persons in whose
23 name the general taxes for the last preceding year were paid on
24 each property lying within the special service area. A notice
25 shall be mailed not less than 10 days prior to the time set for

1 the public hearing. In the event taxes for the last preceding
2 year were not paid, the notice shall be sent to the person last
3 listed on the tax rolls prior to that year as the owner of the
4 property.

5 (Source: P.A. 82-282; 88-455.)

6 (35 ILCS 200/27-32 new)

7 Sec. 27-32. More than 5% increase; hearing. If, in any year
8 other than the initial levy year, the estimated special service
9 area tax levy is more than 105% of the amount extended for
10 special service area purposes for the preceding levy year,
11 notice shall be given and a hearing held on the reason for the
12 increase. Notice of the hearing shall be given by newspaper
13 publication, internet publication, or other reasonable means
14 determined by the municipality or county. A meeting open to the
15 public and convened in a location convenient to property
16 included within the boundaries of the special service area is
17 considered a hearing for purposes of this Section. The hearing
18 may be held prior to the adoption of the proposed ordinance to
19 adopt the annual levy of the special service area, but not more
20 than 30 days prior to the adoption of the ordinance, or at the
21 same time the proposed ordinance to adopt the annual levy of
22 the special service area is considered."