



Sen. Pamela J. Althoff

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1 AMENDMENT TO SENATE BILL 3341

2 AMENDMENT NO. _____. Amend Senate Bill 3341 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Conservation District Act is amended by
5 changing Sections 15 and 15.1 as follows:

6 (70 ILCS 410/15) (from Ch. 96 1/2, par. 7116)

7 Sec. 15. (a) Whenever a district does not have sufficient
8 money in its treasury to meet all necessary expenses and
9 liabilities thereof, it may issue tax anticipation warrants.
10 Such issue of tax anticipation warrants shall be subject to the
11 provisions of Section 2 of "An Act to provide for the manner of
12 issuing warrants upon the treasurer of the State or of any
13 county, township, or other municipal corporation or quasi
14 municipal corporation, or of any farm drainage district, river
15 district, drainage and levee district, fire protection
16 district and jurors' certificates", approved June 27, 1913, as

1 now and hereafter amended.

2 (b) For the purpose of acquisition of real property, or
3 rights thereto, a district may incur indebtedness and, as
4 evidence of the indebtedness thus created, may issue and sell
5 bonds without first obtaining the consent of the legal voters
6 of the district.

7 (b-5) For the purpose of development of real property, all
8 or a portion of which has been acquired with
9 referendum-approved bonds, a district located entirely within
10 McHenry County may incur indebtedness and, as evidence of the
11 indebtedness thus created, may issue and sell bonds without
12 first obtaining the consent of the legal voters of the
13 district. Development, for the purposes of this subsection
14 (b-5), shall mean the improvement or maintenance of existing
15 trails, parking lots, bridges, roads, picnic shelters, and
16 other improvements, adding or improving access to conservation
17 areas or district facilities to comply with the Americans with
18 Disabilities Act, demolition of unnecessary or unsafe
19 structures, and the stabilization, revitalization or
20 rehabilitation of historic structures.

21 (c) For the purpose of development of real property, a
22 district may incur indebtedness and, as evidence of the
23 indebtedness thus created, may issue and sell bonds only after
24 the proposition to issue bonds has been submitted to the legal
25 voters of the district at an election and has been approved by
26 a majority of those voting on the proposition. Such election is

1 subject to Section 15.1 of this Act.

2 (d) No district shall become indebted in any manner or for
3 any purpose, to any amount including existing indebtedness in
4 the aggregate exceeding 0.575% of the value, as equalized or
5 assessed by the Department of Revenue, of the taxable property
6 therein; except that a district entirely within a county of
7 under 750,000 inhabitants and contiguous to a county of more
8 than 2,000,000 inhabitants may incur indebtedness, including
9 existing indebtedness, in the aggregate not exceeding 1.725% of
10 that value if the aggregate indebtedness over 0.575% is
11 submitted to the legal voters of the district at an election
12 and is approved by a majority of those voting on the
13 proposition as provided in Section 15.1.

14 The following do not in any way limit the right of a
15 district to issue non-referendum bonds under this Section:
16 bonds heretofore or hereafter issued and outstanding that are
17 approved by referendum, as described in this subsection (d);
18 refunding bonds issued to refund or continue to refund bonds
19 approved by referendum; and bonds issued under this Section
20 that have been paid in full or for which provisions for payment
21 have been made by an irrevocable deposit of funds in an amount
22 sufficient to pay the principal and interest on those bonds to
23 their respective maturity date.

24 (e) Before or at the time of issuing bonds as described in
25 this Section ~~for acquisition or development of real property,~~
26 the district shall provide by ordinance for the collection of

1 an annual tax, in addition to all other taxes authorized by
2 this act, sufficient to pay such bonds and the interest thereon
3 as the same respectively become due. Such bonds shall be
4 divided into series, the first of which shall mature not later
5 than 5 years after the date of issue and the last of which
6 shall mature not later than 25 years after the date of issue;
7 shall bear interest at a rate or rates not exceeding the
8 maximum rate permitted in "An Act to authorize public
9 corporations to issue bonds, other evidences of indebtedness
10 and tax anticipation warrants subject to interest rate
11 limitations set forth therein", approved May 26, 1970, as now
12 or hereafter amended; shall be in such form as the district
13 shall by resolution provide and shall be payable as to both
14 principal and interest from the proceeds of the annual levy of
15 taxes authorized to be levied by this Section, or so much
16 thereof as will be sufficient to pay the principal thereof and
17 the interest thereon. Prior to the authorization and issuance
18 of such bonds the district may, with or without notice,
19 negotiate and enter into an agreement or agreements with any
20 bank, investment banker, trust company or insurance company or
21 group thereof whereunder the marketing of such bonds may be
22 assured and consummated. The proceeds of such bonds shall be
23 deposited in a special fund, to be kept separate and apart from
24 all other funds of the conservation district.

25 (Source: P.A. 96-1178, eff. 7-22-10.)

1 (70 ILCS 410/15.1) (from Ch. 96 1/2, par. 7117)

2 Sec. 15.1. When the board of a district proposes to incur
3 indebtedness and issue bonds, other than tax anticipation
4 warrants, for the purpose of development of real property as
5 provided in subsection (c) of Section 15 of this Act, or for
6 the purpose of incurring indebtedness in the aggregate over
7 0.575% as provided in subsection (d) of Section 15, it shall
8 order a referendum on the proposition.

9 The district shall adopt an ordinance calling for the
10 referendum and setting forth the proposition. The clerk or
11 secretary of the district shall certify the ordinance and the
12 proposition to the proper election officials who shall submit
13 the proposition to the voters of the district at a referendum
14 in accordance with the general election law. For a bond
15 proposition put forward by a district organized under this Act,
16 including a forest preserve district created under Section
17 18.5, the ballot must have printed on it, but not as part of
18 the proposition submitted, the following language:

19 The approximate impact of the proposed increase on the
20 owner of a single-family home having a market value of
21 (insert value) would be (insert amount) in the first year
22 of the increase if the increase is fully implemented.

23 (Source: P.A. 97-364, eff. 8-15-11.)".