HB4081

LRB099 09497 HLH 29705 b

99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB4081

by Rep. Dwight Kay

SYNOPSIS AS INTRODUCED:

35 ILCS 200/18-50.2 new
105 ILCS 5/17-20 new
110 ILCS 805/3-7.12 new

Amends the Property Tax Code. Provides that, if a taxing district is authorized by statute to levy a property tax, and if that tax is subject to a backdoor referendum, then, before the taxing district levies the tax for the first time, and before the taxing district increases the rate of tax, the taxing district shall instead submit the tax rate to direct referendum. Amends the School Code and the Public Community College Act to make conforming changes. Effective immediately.

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FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT 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 adding

5   Section 18-50.2 as follows:

6   (35 ILCS 200/18-50.2 new)

7   Sec. 18-50.2. Backdoor referendum prohibited.

8   (a) For the purposes of this Section:

9   "Backdoor referendum" has the same meaning provided in

10   Section 28-2 of the Election Code.

11   "Taxing district" has the same meaning provided in Section

12   1-150 of this Code, except that the term does not include home

13   rule units.

14   (b) Notwithstanding any other provision of law, if a taxing

15   district is authorized by statute to levy a tax upon the

16   equalized assessed value of all taxable property in the taxing

17   district, and if that tax is subject to a backdoor referendum,

18   then, before the taxing district levies the tax for the first

19   time, and before the taxing district increases the rate of tax,

20   the taxing district shall instead submit the tax rate to direct

21   referendum under the provisions of this Section and of Article

22   28 of the Election Code.

23   (c) The proposition seeking to obtain referendum approval

1   to levy a the tax for the first time shall be in substantially

2   the following form:

3   "Shall (name of taxing district) be authorized to levy

4   a new tax for ... purposes and have an additional tax of

5   ...% of the equalized assessed value of the taxable

6   property therein extended for such purposes?"

7   Votes shall be recorded as "Yes" or "No".

8   (d) The proposition seeking to obtain referendum approval

9   to increase the tax rate shall be in substantially the

10   following form:

11   "Shall the tax rate for (name of taxing district) for

12   (purposes) under (name of statute) for (insert levy year of

13   the increase) be increased by an additional amount equal to

14   ...% above the tax rate for (levy year)?

15   Votes shall be recorded as "Yes" or "No".

16   (e) If a majority of all ballots cast on the proposition

17   are in favor of the proposition, then the new tax or increased

18   tax rate shall be applicable to the extension of taxes for the

19   taxing district beginning in the first levy year after the new

20   rate or increase is approved.

21   Section 10. The School Code is amended by adding Section

22   17-20 as follows:

23   (105 ILCS 5/17-20 new)

24   Sec. 17-20. Backdoor referendum prohibited. This Act is

1   subject to the provisions of Section 18-50.2 of the Property

2   Tax Code.

3   Section 15. The Public Community College Act is amended by

4   adding Section 3-7.12 as follows:

5   (110 ILCS 805/3-7.12 new)

6   Sec. 3-7.12. Backdoor referendum prohibited. This Act is

7   subject to the provisions of Section 18-50.2 of the Property

8   Tax Code.

9   Section 99. Effective date. This Act takes effect upon

10 becoming law.