

1 post a copy of the notice at the principal office of the
2 political or governmental subdivision, or if there is no
3 principal office at the building in which the governing body
4 of the political or governmental subdivision held its first
5 meeting of the calendar year in which the referendum is being
6 held. The election authority and the political or
7 governmental subdivision may, but are not required to, post
8 the notice electronically on their World Wide Web pages. The
9 notice, which shall appear over the name or title of the
10 election authority, shall be substantially in the following
11 form:

12 NOTICE IS HEREBY GIVEN that at the election to be
13 held on (insert day of the week), (insert date of
14 election), the following proposition will be submitted to
15 the voters of (name of political or governmental
16 subdivision):

17 (insert the public question as it will appear on the
18 ballot)

19 The polls at the election will be open at 6:00
20 o'clock A.M. and will continue to be open until 7:00
21 o'clock P.M. of that day.

22 Dated (date of notice)

23 (Name or title of the election authority)

24 The notice shall also include any additional information
25 required by the statute authorizing the public question. The
26 notice shall set forth the precincts and polling places at
27 which the referendum will be conducted only in the case of
28 emergency referenda.

29 (Source: P.A. 91-57, eff. 6-30-99.)

30 Section 10. The Township Code is amended by changing
31 Sections 115-20 and 115-105 as follows:

32 (60 ILCS 1/115-20)

1 Sec. 115-20. Referendum on recommended plan; petition.

2 (a) If the board recommends adoption of the open space
3 plan, or if a petition is filed by not less than 5% or 50,
4 whichever is greater, of the registered voters of the
5 township (according to the voting registration records at the
6 time the petition is filed) recommending adoption of the open
7 space plan, then the Board, within 30 days of making of the
8 recommendation or the filing of the petition, shall file a
9 petition with the township clerk, requesting the clerk to
10 submit to the voters of the township the question of whether
11 the township shall adopt the open space plan and enter upon
12 an open space program, with the power to acquire open land by
13 purchase, condemnation (except townships in counties having a
14 population of more than 150,000 but not more than 250,000),
15 or otherwise in the township and with the power to issue
16 bonds for those purposes under this Article. The total amount
17 of bonds to be issued under this Section may not exceed 5% of
18 the valuation of all taxable property in the township and
19 shall be set forth in the question as a dollar amount. The
20 township clerk shall certify that proposition to the proper
21 election officials, who shall submit the proposition to the
22 township voters at the next regular election. The referendum
23 shall be conducted and notice given in accordance with the
24 general election law.

25 (b) The question submitted to the voters at the election
26 shall be in substantially the following form:

27 Shall (name of township) adopt the open space plan
28 considered at the public hearing on (date) and enter upon
29 an open space program, and shall the Township Board have
30 the power (i) to acquire open land by purchase (insert ",
31 condemnation," if the township is in a county having a
32 population of more than 250,000) or otherwise, (ii) to
33 issue bonds for open space purposes in an amount not
34 exceeding \$(amount), and (iii) to levy a tax to pay the

1 principal of and interest on those bonds, as provided in
2 Article 115 of the Township Code?

3 The votes shall be recorded as "Yes" or "No".

4 (c) If a majority of the voters voting at the election
5 on the question vote in favor of the question, the township
6 shall thereafter adopt the open space plan recommended by the
7 board or by the petition of the registered voters of the
8 township and shall enter upon an open space program under
9 this Article. If the proposition does not receive the
10 approval of a majority of the voters voting at the election
11 on the question, no proposition may be submitted to the
12 voters under this Section less than 23 months after the date
13 of the election.

14 (d) If a majority of the legal voters voting at
15 referendum in any township approved a proposition at the
16 consolidated election in 2001 in reliance upon and consistent
17 with this Section 115-20 as it existed prior to the effective
18 date of Public Act 91-847, then that referendum and all
19 actions taken in reliance thereon are hereby validated and
20 are legally binding in all respects.

21 (Source: P.A. 91-641, eff. 8-20-99; 91-847, eff. 6-22-00.)

22 (60 ILCS 1/115-105)

23 Sec. 115-105. Borrowing money; bonds. The township
24 board may borrow money and issue bonds, after referendum, for
25 the purpose of acquiring, developing, rehabilitating and
26 renovating open lands for open space purposes, as defined in
27 Section 115-5, pursuant to an open space program adopted as
28 provided in this Article, in and for the township in any
29 amount not to exceed 5% on the valuation of taxable property
30 in the township, to be ascertained by the last assessment for
31 State and county taxes previous to the incurring of such
32 indebtedness or, until January 1, 1983, if greater, the sum
33 that is produced by multiplying the township's 1978 equalized

1 assessed valuation by the debt limitation percentage on
2 January 1, 1979.

3 Whenever the board desires to issue bonds under this
4 Article, or whenever the board receives a petition from not
5 less than 5% or 50, whichever is greater, of the registered
6 voters of the township, according to the voting registration
7 records at the time the petition is filed, requesting the
8 board to issue bonds under this Article, the board,
9 concurrently with the filing of a petition with the township
10 clerk requesting him to submit to the voters of the township
11 at the next election the question of whether or not to adopt
12 an open space plan and enter upon an open space program,
13 shall certify that proposition to the proper election
14 officials who shall submit to the voters of the township at
15 the next election the question of whether or not the board
16 shall issue bonds to finance an open space program and
17 provide for the levy and collection of a direct annual tax
18 upon all taxable property within the township to meet the
19 principal and interest on the bonds as they mature, which tax
20 shall be in addition to and in excess of any other tax
21 authorized to be levied by the township. The amount of bonds
22 to be issued under this Section shall be set forth in the
23 question as a dollar amount. The election shall be conducted
24 and notice given in accordance with the general election law.
25 The question submitted to the voters at the election shall be
26 in substantially the following form:

27 Shall (name of township) issue bonds to finance the
28 acquisition, maintenance, development, rehabilitation and
29 renovation of open space lands for open space purposes as
30 provided by the Township Open Space Article of the
31 Township Code and levy and collect property taxes, in
32 excess of any other tax authorized to be levied by the
33 township, sufficient to meet the principal and interest
34 on the bonds as they mature, but not in an amount in

1 excess of \$(amount)?

2 The votes shall be recorded as "Yes" or "No".

3 If a majority of the voters voting on the question vote
4 in favor of the question, the board shall issue bonds as
5 provided in this Article provided such bonds are issued
6 within 6 months after the voters vote favorably on such
7 question. If such proposition does not receive the approval
8 of a majority of the voters voting at the election on the
9 question, no proposition may be submitted to such voters
10 pursuant to this Section less than 23 months after the date
11 of such election.

12 The board shall then adopt a resolution authorizing the
13 issuance of such bonds, prescribing all the details thereof,
14 and stating the time or times when the principal thereof and
15 the interest on the bonds become payable, and the place of
16 payment thereof. The bonds must, however, be payable within
17 not less than 3 nor more than 40 years from date thereof, and
18 be issued to bear interest at not to exceed the maximum rate
19 authorized by the Bond Authorization Act, as amended at the
20 time of the making of the contract. Such a resolution shall
21 provide for the levy and collection of a direct annual tax
22 upon all the taxable property within the corporate limits of
23 such township sufficient to meet the principal of and
24 interest on the bonds as they mature, which tax shall be in
25 addition to and in excess of any other tax authorized to be
26 levied by the township.

27 A certified copy of the resolution providing for the
28 issuance of any such bonds shall be filed with the county
29 clerk of the county in which the township is located and
30 constitutes the basis and authority of the county clerk for
31 the extension and collection of the tax necessary to pay the
32 principal of and interest upon the bonds issued under the
33 resolution.

34 With respect to instruments for the payment of money

1 issued under this Section either before, on, or after the
2 effective date of Public Act 86-004, it is and always has
3 been the intention of the General Assembly (i) that the
4 Omnibus Bond Acts are and always have been supplementary
5 grants of power to issue instruments in accordance with the
6 Omnibus Bond Acts, regardless of any provision of this
7 Article that may appear to be or to have been more
8 restrictive than those Acts, (ii) that the provisions of this
9 Section are not a limitation on the supplementary authority
10 granted by the Omnibus Bonds Acts, and (iii) that instruments
11 issued under this Section within the supplementary authority
12 granted by the Omnibus Bond Acts are not invalid because of
13 any provision of this Article that may appear to be or to
14 have been more restrictive than those Acts.

15 If a majority of the legal voters voting at referendum in
16 any township approved a proposition at the consolidated
17 election in 2001 in reliance upon and consistent with this
18 Section 115-105 as it existed prior to the effective date of
19 Public Act 91-847, then that referendum and all actions taken
20 in reliance thereon are hereby validated and are legally
21 binding in all respects.

22 (Source: P.A. 91-847, eff. 6-22-00.)

23 Section 15. The School Code is amended by changing
24 Sections 17-3 and 19-3 as follows:

25 (105 ILCS 5/17-3) (from Ch. 122, par. 17-3)

26 Sec. 17-3. Additional levies-Submission to voters. The
27 school board in any district having a population of less than
28 500,000 inhabitants may, by proper resolution, cause a
29 proposition to increase, for a limited period of not less
30 than 3 nor more than 10 years or for an unlimited period, the
31 annual tax rate for educational purposes to be submitted to
32 the voters of such district at a regular scheduled election

1 as follows:

2 (1) in districts maintaining grades 1 through 8, or
3 grades 9 through 12, the maximum rate for educational
4 purposes shall not exceed 3.5% of the value as equalized
5 or assessed by the Department of Revenue;

6 (2) in districts maintaining grades 1 through 12
7 the maximum rate for educational purposes shall not
8 exceed 4.00%, except that if a single elementary district
9 and a secondary district having boundaries that are
10 coterminous on the effective date of this amendatory Act
11 form a community unit district under Section 11-6, then
12 the maximum rate for education purposes for such district
13 shall not exceed 6.00% of the value as equalized or
14 assessed by the Department of Revenue.

15 If the resolution of the school board seeks to increase
16 the annual tax rate for educational purposes for a limited
17 period of not less than 3 nor more than 10 years, the
18 proposition shall so state and shall identify the years for
19 which the tax increase is sought.

20 If a majority of the votes cast on the proposition is in
21 favor thereof at an election for which the election
22 authorities have given notice either (i) in accordance with
23 Section 12-5 of the Election Code or (ii) by publication of a
24 true and legible copy of the specimen ballot label containing
25 the proposition in the form in which it appeared or will
26 appear on the official ballot label on the day of the
27 election at least 5 days before the day of the election in at
28 least one newspaper published in and having a general
29 circulation in the district, the school board may thereafter,
30 until such authority is revoked in like manner, levy annually
31 the tax so authorized; provided that if the proposition as
32 approved limits the increase in the annual tax rate of the
33 district for educational purposes to a period of not less
34 than 3 nor more than 10 years, the district may, unless such

1 authority is sooner revoked in like manner, levy annually the
2 tax so authorized for the limited number of years approved by
3 a majority of the votes cast on the proposition. Upon
4 expiration of that limited period, the rate at which the
5 district may annually levy its tax for educational purposes
6 shall be the rate provided under Section 17-2, or the rate at
7 which the district last levied its tax for educational
8 purposes prior to approval of the proposition authorizing the
9 levy of that tax at an increased rate, whichever is greater.

10 The school board shall certify the proposition to the
11 proper election authorities in accordance with the general
12 election law.

13 The provisions of this Section concerning notice of the
14 tax rate increase referendum apply only to consolidated
15 primary elections held prior to January 1, 2002 at which not
16 less than 55% of the voters voting on the tax rate increase
17 proposition voted in favor of the tax rate increase
18 proposition.

19 (Source: P.A. 88-376.)

20 (105 ILCS 5/19-3) (from Ch. 122, par. 19-3)

21 Sec. 19-3. Boards of education. Any school district
22 governed by a board of education and having a population of
23 not more than 500,000 inhabitants, and not governed by a
24 special Act may borrow money for the purpose of building,
25 equipping, altering or repairing school buildings or
26 purchasing or improving school sites, or acquiring and
27 equipping playgrounds, recreation grounds, athletic fields,
28 and other buildings or land used or useful for school
29 purposes or for the purpose of purchasing a site, with or
30 without a building or buildings thereon, or for the building
31 of a house or houses on such site, or for the building of a
32 house or houses on the school site of the school district,
33 for residential purposes of the superintendent, principal, or

1 teachers of the school district, and issue its negotiable
2 coupon bonds therefor signed by the president and secretary
3 of the board, in denominations of not less than \$100 nor more
4 than \$5,000, payable at such place and at such time or times,
5 not exceeding 20 years from date of issuance, as the board of
6 education may prescribe, and bearing interest at a rate not
7 to exceed the maximum rate authorized by the Bond
8 Authorization Act, as amended at the time of the making of
9 the contract, payable annually, semiannually or quarterly,
10 but no such bonds shall be issued unless the proposition to
11 issue them is submitted to the voters of the district at a
12 referendum held at a regularly scheduled election after the
13 board has certified the proposition to the proper election
14 authorities in accordance with the general election law, a
15 majority of all the votes cast on the proposition is in favor
16 of the proposition, and notice of such bond referendum ~~(if~~
17 ~~heretofore--or--hereafter-held-at-any-general-or-consolidated~~
18 ~~election)~~ has been given either (i) in accordance with the
19 second paragraph of Section 12-1 of the Election Code
20 irrespective of whether such notice included any reference to
21 the public question as it appeared on the ballot, or (ii) for
22 an election held on or after November 1, 1998, in accordance
23 with Section 12-5 of the Election Code, or (iii) by
24 publication of a true and legible copy of the specimen ballot
25 label containing the proposition in the form in which it
26 appeared or will appear on the official ballot label on the
27 day of the election at least 5 days before the day of the
28 election in at least one newspaper published in and having a
29 general circulation in ~~each-county-in-which~~ the district is
30 ~~located~~, irrespective of any other requirements of Article 12
31 or Section 24A-18 of the Election Code, nor shall any
32 residential site be acquired unless such proposition to
33 acquire a site is submitted to the voters of the district at
34 a referendum held at a regularly scheduled election after the

1 board has certified the proposition to the proper election
2 authorities in accordance with the general election law and a
3 majority of all the votes cast on the proposition is in favor
4 of the proposition. Nothing in this Act or in any other law
5 shall be construed to require the notice of the bond
6 referendum to be published over the name or title of the
7 election authority or the listing of maturity dates of any
8 bonds either in the notice of bond election or ballot used in
9 the bond election. The provisions of this Section concerning
10 notice of the bond referendum apply only to (i) consolidated
11 primary elections held prior to January 1, 2002 at which not
12 less than 60% of the voters voting on the bond proposition
13 voted in favor of the bond proposition, and (ii) other
14 elections held before July 1, 1999; otherwise thereafter,
15 notices required in connection with the submission of public
16 questions shall be as set forth in Section 12-5 of the
17 Election Code. Such proposition may be initiated by
18 resolution of the school board.

19 With respect to instruments for the payment of money
20 issued under this Section either before, on, or after the
21 effective date of this amendatory Act of 1989, it is and
22 always has been the intention of the General Assembly (i)
23 that the Omnibus Bond Acts are and always have been
24 supplementary grants of power to issue instruments in
25 accordance with the Omnibus Bond Acts, regardless of any
26 provision of this Act that may appear to be or to have been
27 more restrictive than those Acts, (ii) that the provisions of
28 this Section are not a limitation on the supplementary
29 authority granted by the Omnibus Bond Acts, and (iii) that
30 instruments issued under this Section within the
31 supplementary authority granted by the Omnibus Bond Acts are
32 not invalid because of any provision of this Act that may
33 appear to be or to have been more restrictive than those
34 Acts.

1 The proceeds of any bonds issued under authority of this
2 Section shall be deposited and accounted for separately
3 within the Site and Construction/Capital Improvements Fund.
4 (Source: P.A. 90-811, eff. 1-26-99; 90-812, eff. 1-26-99;
5 91-57, eff. 6-30-99.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law."