LRB10012319AWJ24967b

# 100TH GENERAL ASSEMBLY

# State of Illinois

# 2017 and 2018

## HB4043

by Rep. Mark Batinick

## SYNOPSIS AS INTRODUCED:

New Act
10 ILCS 5/28-8.2 new
35 ILCS 200/18-53 new
55 ILCS 5/5-1005.7 new
60 ILCS 1/235-12 new
65 ILCS 5/8-3-20 new
105 ILCS 5/17-3.4                     from Ch. 122, par. 17-3.4
105 ILCS 5/17-11.3 new

Creates the Local Government Property Tax Referendum Act. Provides that any referendum, initiative, proposition, or other ballot question which establishes a new tax, increases an existing tax, or gives a unit of local government the authority to establish a new tax or increase an existing tax shall only be submitted to the voters or electors at a general election. Excludes emergency referenda submitted to the voters or electors at times other than general elections. Makes similar changes to the Election Code, the Property Tax Code, the Counties Code, the Township Code, the Illinois Municipal Code, and the School Code.

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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 1. Short title. This Act may be cited as the Local

5    Government Property Tax Referendum Act.

6        Section 5. Referendum to establish or increase tax.

7    Notwithstanding any other provision of law, any referendum,

8    initiative, proposition, or other ballot question which

9    establishes a new tax, increases an existing tax, or gives a

10   unit of local government the authority to establish a new tax

11   or increase an existing tax shall only be submitted to the

12   voters or electors at general elections. However, nothing in

13   this Section prevents emergency referenda under Section 2A-1.4

14   of the Election Code from being submitted to the voters or

15   electors at times other than general elections.

16       Section 900. The Election Code is amended by adding Section

17   28-8.2 as follows:

18       (10 ILCS 5/28-8.2 new)

19       Sec. 28-8.2. Referendum to establish or increase tax.

20   Notwithstanding any other provision of law, any referendum,

21   initiative, proposition, or other ballot question which

1    establishes a new tax, increases an existing tax, or gives a

2    unit of local government or school district the authority to

3    establish a new tax or increase an existing tax shall only be

4    submitted to the voters or electors at general elections.

5    However, nothing in this Section prevents emergency referenda

6    under Section 2A-1.4 of the Election Code from being submitted

7    to the voters or electors at times other than general

8    elections.


9        Section 905. The Property Tax Code is amended by adding

10   Section 18-53 as follows:


11       (35 ILCS 200/18-53 new)

12       Sec. 18-53. Referendum to establish or increase tax.

13   Notwithstanding any other provision of law, any referendum,

14   initiative, proposition, or other ballot question which

15   establishes a new tax, increases an existing tax, or gives a

16   unit of local government or school district the authority to

17   establish a new tax or increase an existing tax shall only be

18   submitted to the voters or electors at general elections.

19   However, nothing in this Section prevents emergency referenda

20   under Section 2A-1.4 of the Election Code from being submitted

21   to the voters or electors at times other than general

22   elections.


23       Section 910. The Counties Code is amended by adding Section

1    5-1005.7 as follows:

2         (55 ILCS 5/5-1005.7 new)

3         Sec. 5-1005.7. Referendum to establish or increase tax.

4    Notwithstanding any other provision of law, any referendum,

5    initiative, proposition, or other ballot question which

6    establishes a new tax, increases an existing tax, or gives a

7    county the authority to establish a new tax or increase an

8    existing tax shall only be submitted to the voters or electors

9    at general elections. However, nothing in this Section prevents

10   emergency referenda under Section 2A-1.4 of the Election Code

11   from being submitted to the voters or electors at times other

12   than general elections.

13        Section 915. The Township Code is amended by adding Section

14   235-12 as follows:

15        (60 ILCS 1/235-12 new)

16        Sec. 235-12. Referendum to establish or increase tax.

17   Notwithstanding any other provision of law, any referendum,

18   initiative, proposition, or other ballot question which

19   establishes a new tax, increases an existing tax, or gives a

20   township the authority to establish a new tax or increase an

21   existing tax shall only be submitted to the voters or electors

22   at general elections. However, nothing in this Section prevents

23   emergency referenda under Section 2A-1.4 of the Election Code

1    from being submitted to the voters or electors at times other

2    than general elections.


3         Section 920. The Illinois Municipal Code is amended by

4    adding Section 8-3-20 as follows:


5         (65 ILCS 5/8-3-20 new)

6         Sec. 8-3-20. Referendum to establish or increase tax.

7    Notwithstanding any other provision of law, any referendum,

8    initiative, proposition, or other ballot question which

9    establishes a new tax, increases an existing tax, or gives a

10   municipality the authority to establish a new tax or increase

11   an existing tax shall only be submitted to the voters or

12   electors at general elections. However, nothing in this Section

13   prevents emergency referenda under Section 2A-1.4 of the

14   Election Code from being submitted to the voters or electors at

15   times other than general elections.


16        Section 925. The School Code is amended by changing Section

17   17-3.4 and by adding Section 17-11.3 as follows:


18        (105 ILCS 5/17-3.4) (from Ch. 122, par. 17-3.4)

19        Sec. 17-3.4. Form of ballot and notice. Except as otherwise

20   provided under subsection (d) of Section 17-6.1 or Section

21   17-11.3, whenever any proposition to authorize or to levy an

22   annual tax, or to increase the annual rate of tax levied by any

1  school district, for any school purpose is submitted to the

2  voters of such district at any election, each required notice

3  or other publication of the election or referendum and the form

4  of ballot shall contain, in addition to any other matters

5  required by law:

6     (a) the geographic or other common name of the school

7  district by which that district is commonly known and referred

8  to, as well as the number of the district;

9     (b) the maximum rate at which such tax may be levied if the

10  proposition is approved;

11     (c) the total dollar amount of the most recently approved

12  annual budget of the school district, what the total dollar

13  amount of that annual budget would be if increased by the

14  amount of additional tax which may be levied if the proposition

15  is approved, and what would be the percentage of increase in

16  the total dollar amount of the most recently approved annual

17  budget of the school district if such total dollar amount were

18  increased by the amount of additional tax which may be levied

19  if the proposition is approved; and

20     (d) if the proposition is to increase the annual rate of an

21  existing tax levied by the school district, then in addition to

22  the matters set forth in (a), (b) and (c) above, the annual

23  rate at which such existing tax currently is levied and the

24  percentage of increase between the maximum rate at which such

25  tax may be levied if the proposition is approved and the annual

26  rate at which such tax currently is levied.

1       (Source: P.A. 86-579; 86-1318.)

2       (105 ILCS 5/17-11.3 new)

3       Sec. 17-11.3. Referendum to establish or increase tax.

4   Notwithstanding any other provision of law, any referendum,

5   initiative, proposition, or other ballot question which

6   establishes a new tax, increases an existing tax, or gives a

7   school district the authority to establish a new tax or

8   increase an existing tax shall only be submitted to the voters

9   or electors at general elections. However, nothing in this

10  Section prevents emergency referenda under Section 2A-1.4 of

11  the Election Code from being submitted to the voters or

12  electors at times other than general elections.