



Sen. Bill Cunningham

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1 AMENDMENT TO HOUSE BILL 4224

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4224, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Election Code is amended by changing  
6 Section 28-1 as follows:

7 (10 ILCS 5/28-1) (from Ch. 46, par. 28-1)

8 Sec. 28-1. The initiation and submission of all public  
9 questions to be voted upon by the electors of the State or of  
10 any political subdivision or district or precinct or  
11 combination of precincts shall be subject to the provisions of  
12 this Article.

13 Questions of public policy which have any legal effect  
14 shall be submitted to referendum only as authorized by a  
15 statute which so provides or by the Constitution. Advisory  
16 questions of public policy shall be submitted to referendum

1 pursuant to Section 28-5 or pursuant to a statute which so  
2 provides.

3 The method of initiating the submission of a public  
4 question shall be as provided by the statute authorizing such  
5 public question, or as provided by the Constitution.

6 All public questions shall be initiated, submitted and  
7 printed on the ballot in the form required by Section 16-7 of  
8 this Act, except as may otherwise be specified in the statute  
9 authorizing a public question.

10 Whenever a statute provides for the initiation of a public  
11 question by a petition of electors, the provisions of such  
12 statute shall govern with respect to the number of signatures  
13 required, the qualifications of persons entitled to sign the  
14 petition, the contents of the petition, the officer with whom  
15 the petition must be filed, and the form of the question to be  
16 submitted. If such statute does not specify any of the  
17 foregoing petition requirements, the corresponding petition  
18 requirements of Section 28-6 shall govern such petition.

19 Irrespective of the method of initiation, not more than 3  
20 public questions other than (a) back door referenda, (b)  
21 referenda to determine whether a disconnection may take place  
22 where a city coterminous with a township is proposing to annex  
23 territory from an adjacent township, (c) referenda held under  
24 the provisions of the Property Tax Extension Limitation Law in  
25 the Property Tax Code, (d) referenda held under Section 2-3002  
26 of the Counties Code, or (e) referenda held under Article 22,

1 23, or 29 of the Township Code may be submitted to referendum  
2 with respect to a political subdivision at the same election.

3 If more than 3 propositions are timely initiated or  
4 certified for submission at an election with respect to a  
5 political subdivision, the first 3 validly initiated, by the  
6 filing of a petition or by the adoption of a resolution or  
7 ordinance of a political subdivision, as the case may be,  
8 shall be printed on the ballot and submitted at that election.  
9 However, except as expressly authorized by law not more than  
10 one proposition to change the form of government of a  
11 municipality pursuant to Article VII of the Constitution may  
12 be submitted at an election. If more than one such proposition  
13 is timely initiated or certified for submission at an election  
14 with respect to a municipality, the first validly initiated  
15 shall be the one printed on the ballot and submitted at that  
16 election.

17 No public question shall be submitted to the voters of a  
18 political subdivision at any regularly scheduled election at  
19 which such voters are not scheduled to cast votes for any  
20 candidates for nomination for, election to or retention in  
21 public office, except that if, in any existing or proposed  
22 political subdivision in which the submission of a public  
23 question at a regularly scheduled election is desired, the  
24 voters of only a portion of such existing or proposed  
25 political subdivision are not scheduled to cast votes for  
26 nomination for, election to or retention in public office at

1 such election, but the voters in one or more other portions of  
2 such existing or proposed political subdivision are scheduled  
3 to cast votes for nomination for, election to or retention in  
4 public office at such election, the public question shall be  
5 voted upon by all the qualified voters of the entire existing  
6 or proposed political subdivision at the election.

7 Not more than 3 advisory public questions may be submitted  
8 to the voters of the entire state at a general election. If  
9 more than 3 such advisory propositions are initiated, the  
10 first 3 timely and validly initiated shall be the questions  
11 printed on the ballot and submitted at that election; provided  
12 however, that a question for a proposed amendment to Article  
13 IV of the Constitution pursuant to Section 3, Article XIV of  
14 the Constitution, or for a question submitted under the  
15 Property Tax Cap Referendum Law, shall not be included in the  
16 foregoing limitation.

17 Notwithstanding any other provision of law, a community  
18 mental health public question may not be placed on the 2024  
19 primary or general election ballot or on the 2025 consolidated  
20 election ballots in the same township where a community mental  
21 health public question was approved on the 2022 general  
22 election ballot.

23 (Source: P.A. 103-565, eff. 11-17-23.)

24 Section 10. The Property Tax Code is amended by changing  
25 Sections 15-125 and 18-103 and by adding Section 18-184.21 as

1 follows:

2 (35 ILCS 200/15-125)

3 Sec. 15-125. Parking areas.

4 (a) Parking areas, not leased or used for profit other  
5 than those lease or rental agreements subject to subsection  
6 (b) of this Section, when used as a part of a use for which an  
7 exemption is provided by this Code and owned by any school  
8 district, non-profit hospital, school, or religious or  
9 charitable institution which meets the qualifications for  
10 exemption, are exempt.

11 (b) Parking areas owned by any religious institution that  
12 meets the qualifications for exemption, when leased or rented  
13 to a mass transportation entity for the limited free parking  
14 of the commuters of the mass transportation entity, are  
15 exempt.

16 (c) Parking areas owned by any religious institution that  
17 meets the qualifications for exemption, when leased or rented  
18 to a municipality for the purpose of providing free public  
19 parking, are exempt, so long as the lease is for no more than  
20 nominal consideration. For purposes of this Section,  
21 maintenance and insurance of the parking areas by the  
22 municipality shall be considered nominal consideration.

23 (d) Parking areas that are owned by a non-profit trust  
24 fund, a non-profit labor union, or a 501(c)(2) entity  
25 controlled by a non-profit trust fund or non-profit labor

1 union and that are used primarily for parking for an  
2 educational trade school described in Section 15-37 are  
3 exempt.

4 (Source: P.A. 100-455, eff. 8-25-17.)

5 (35 ILCS 200/18-103)

6 Sec. 18-103. General Community Mental Health Act  
7 Validation Law. On and after January 1, 1994 and on or before  
8 the effective date of this amendatory Act of the 103rd General  
9 Assembly the effective date of this amendatory Act of the  
10 ~~103rd General Assembly~~, the provisions of the Truth in  
11 Taxation Law are subject to the Community Mental Health Act,  
12 Section 5-25025 of the Counties Code, the Community Care for  
13 Persons with Developmental Disabilities Act, and those  
14 referenda under those Acts authorizing and creating boards and  
15 levies. The purpose of this Section is to validate boards and  
16 levies created on or after January 1, 1994 and on or before the  
17 effective date of this amendatory Act of the 103rd General  
18 Assembly the effective date of this amendatory Act of the  
19 ~~103rd General Assembly~~ that relied on conflicting referenda  
20 language contained in the Community Mental Health Act, the  
21 Counties Code, and the Community Care for Persons with  
22 Developmental Disabilities Act.

23 (Source: P.A. 102-839, eff. 5-13-22; 103-565, eff. 11-17-23.)

24 (35 ILCS 200/18-184.21 new)

1       Sec. 18-184.21. Special service area; tax increment  
2 allocation redevelopment project area abatement.

3       (a) In counties with 3,000,000 or more inhabitants, a  
4 non-home rule municipality may, by ordinance, order the county  
5 clerk to retroactively abate any portion of its tax year 2023  
6 property taxes on property that is within the municipality and  
7 that is also located within a special service area and a  
8 redevelopment project area created pursuant to the Tax  
9 Increment Allocation Redevelopment Act if the following  
10 requirements are met:

11           (1) the special service area consists of a single tax  
12 parcel;

13           (2) the non-home rule municipality has, at any time,  
14 adopted an abatement ordinance covering the property for  
15 the 2023 tax levy; and

16           (3) the county clerk extended taxes against the  
17 property for tax year 2023 that are collectable in 2024.

18       (b) The county clerk shall reextend the 2023 rate against  
19 the property pursuant to the abatement ordinance described in  
20 this Section and shall issue the reextended rate to the county  
21 treasurer.

22       (c) Notwithstanding the provisions of Section 21-25, the  
23 county treasurer shall reissue a revised tax bill for the  
24 property pursuant to subsection (b), and penalties and  
25 interest shall be waived for a period of 30 days from the time  
26 the county treasurer reissues the revised tax bill.

1       (d) This Section is repealed on January 1, 2026.

2           Section 15. The Community Care for Persons with  
3   Developmental Disabilities Act is amended by changing Section  
4   1.2 as follows:

5           (50 ILCS 835/1.2) (was 55 ILCS 105/1.2)

6           Sec. 1.2. Petition for submission to referendum by  
7   electors.

8           (a) Whenever a petition for submission to referendum by  
9   the electors which requests the establishment and maintenance  
10  of facilities or services for the benefit of its residents  
11  with a developmental disability and the levy of an annual tax  
12  not to exceed 0.1% upon all the taxable property in the  
13  governmental unit at the value thereof, as equalized or  
14  assessed by the Department of Revenue, is signed by electors  
15  of the governmental unit equal in number to at least 10% of the  
16  total votes cast for the office that received the greatest  
17  total number of votes at the last preceding general election  
18  of the governmental unit and is presented to the county clerk,  
19  the clerk shall certify the proposition to the proper election  
20  authorities for submission at the governmental unit's next  
21  general election. The proposition shall be in substantially  
22  the following form:

23           Shall (governmental unit) levy an annual tax not to  
24   exceed 0.1% upon the equalized assessed value of all



1 taxable property in (governmental unit) for the purposes  
2 of establishing and maintaining facilities or services for  
3 the benefit of its residents who are persons with  
4 intellectual or developmental disabilities and who are not  
5 eligible to participate in any program provided under  
6 Article 14 of the School Code, 105 ILCS 5/14-1.01 et seq.,  
7 including contracting for those facilities or services  
8 with any privately or publicly operated entity that  
9 provides those facilities or services either in or out of  
10 (governmental unit)?

11 (b) If a majority of the votes cast upon the proposition  
12 are in favor thereof, such tax levy shall be authorized and the  
13 governmental unit shall levy a tax not to exceed the rate set  
14 forth in Section 1 of this Act.

15 (c) If the governmental unit is also subject to the  
16 Property Tax Extension Limitation Law, then the proposition  
17 shall also comply with the Property Tax Extension Limitation  
18 Law. Notwithstanding any provision of this subsection, any  
19 referendum imposing an annual tax on or after January 1, 1994  
20 and prior to the effective date of this amendatory Act of the  
21 103rd General Assembly ~~the effective date of this amendatory~~  
22 ~~Act of the 103rd General Assembly~~ that complies with this  
23 Section is hereby validated.

24 (Source: P.A. 102-839, eff. 5-13-22; 103-565, eff. 11-17-23.)

25 Section 20. The Counties Code is amended by changing

1 Section 5-25025 as follows:

2 (55 ILCS 5/5-25025) (from Ch. 34, par. 5-25025)

3 Sec. 5-25025. Mental health program. If the county board  
4 of any county having a population of less than 1,000,000  
5 inhabitants and maintaining a county health department under  
6 this Division desires the inclusion of a mental health program  
7 in that county health department and the authority to levy the  
8 tax provided for in subsection (c) of this Section, the county  
9 board shall certify that question to the proper election  
10 officials, who shall submit the proposition at an election in  
11 accordance with the general election law. The proposition  
12 shall be in substantially the following form:

13 -----

14 Shall .....County include

15 a mental health program in the YES

16 county health department, and

17 levy an annual tax of not to exceed -----

18 .05% of the value of all taxable

19 property for use for mental health

20 purposes by the county health NO

21 department?

22 -----

23 If a majority of the electors voting at that election vote  
24 in favor of the proposition, the county board may include the  
25 mental health program in the county health department and may,

1 annually, levy the additional tax for mental health purposes.  
2 All mental health facilities provided shall be available to  
3 all citizens of the county, but the county health board may  
4 vary any charges for services according to ability to pay.

5 If the county is also subject to the Property Tax  
6 Extension Limitation Law, then the proposition shall also  
7 comply with the Property Tax Extension Limitation Law.  
8 Notwithstanding any provision of this Section, any referendum  
9 imposing an annual tax on or after January 1, 1994 and prior to  
10 the effective date of this amendatory Act of the 103rd General  
11 Assembly ~~the effective date of this amendatory Act of the~~  
12 ~~103rd General Assembly~~ that complies with this Section is  
13 hereby validated.

14 When the inclusion of a mental health program has been  
15 approved:

16 (a) To the extent practicable, at least one member of the  
17 County Board of Health, under Section 5-25012, shall be a  
18 person certified by The American Board of Psychiatry and  
19 Neurology professionally engaged in the field of mental health  
20 and licensed to practice medicine in the State, unless there  
21 is no such qualified person in the county.

22 (b) The president or chairman of the county board of  
23 health shall appoint a mental health advisory board composed  
24 of not less than 9 nor more than 15 members who have special  
25 knowledge and interest in the field of mental health.  
26 Initially, 1/3 of the board members shall be appointed for

1 terms of one year, 1/3 for 2 years and 1/3 for 3 years.  
2 Thereafter, all terms shall be for 3 years. This advisory  
3 board shall meet at least twice each year and provide counsel,  
4 direction and advice to the county board of health in the field  
5 of mental health.

6 (c) The county board may levy, in excess of the statutory  
7 limit and in addition to the taxes permitted under Sections  
8 5-25003, 5-25004 and 5-25010, an additional annual tax of not  
9 more than .05% of the value, as equalized or assessed by the  
10 Department of Revenue, of all taxable property within the  
11 county which tax shall be levied and collected as provided in  
12 Section 5-25010 but held in the County Health Fund of the  
13 county treasury for use for mental health purposes. These  
14 funds may be used to provide care and treatment in public and  
15 private mental health facilities.

16 (d) When a mental health program has been included in a  
17 county health department pursuant to this Section, the county  
18 board may obtain the authority to levy a tax for mental health  
19 purposes in addition to the tax authorized by the preceding  
20 paragraphs of this Section but not in excess of an additional  
21 .05% of the value, as equalized or assessed by the Department  
22 of Revenue, of all taxable property in the county by following  
23 the procedure set out in Section 5-25003 except that the  
24 proposition shall be in substantially the following form:

25 -----

26 Shall.... county levy, in excess

1	of the statutory limit, an additional	YES
2	annual tax of not to exceed .05% for	-----
3	use for mental health purposes by the	NO
4	county health department?	

5 -----

6       If the majority of all the votes cast on the proposition in  
7 the county is in favor thereof, the county board shall levy  
8 such tax annually. The levy and collection of this tax shall be  
9 as provided in Section 5-25010 but the tax shall be held in the  
10 County Health Fund of the county treasury for use, with that  
11 levied pursuant to paragraph (c), for mental health purposes.  
12 (Source: P.A. 102-839, eff. 5-13-22; 103-565, eff. 11-17-23.)

13       Section 30. The Community Mental Health Act is amended by  
14 changing Section 7 as follows:

15       (405 ILCS 20/7) (from Ch. 91 1/2, par. 307)

16       Sec. 7. When the petition provided for in Section 6 is  
17 presented to the clerk of the governmental unit requesting the  
18 establishment and maintenance of such mental health facilities  
19 and services for residents of the community and the levy of  
20 such an annual tax therefor, the clerk of the governmental  
21 unit shall certify to the proper election officials the  
22 proposition for the levy of such tax which shall be submitted  
23 at a regular election in accordance with the general election  
24 law. The proposition shall be in substantially the following

1 form:

2 -----

3 Shall.....

4 (governmental unit) establish and

5 maintain community mental health YES

6 facilities and services including

7 facilities and services for the -----

8 person with a developmental

9 disability or a substance NO

10 use disorder and levy therefor an

11 annual tax of not to exceed .15%?

12 -----

13 In addition to certification of the question, the clerk of  
14 the governmental unit shall prepare and submit to the proper  
15 elected officials the following language which shall have  
16 printed thereon, but not as part of the proposition submitted,  
17 only the following supplemental information (which shall be  
18 supplied to the election authority by the taxing district) in  
19 substantially the following form:

20 (1) The approximate amount of taxes extendable at the  
21 most recently extended limiting rate is \$...., and the  
22 approximate amount of taxes extendable if the proposition  
23 is approved is \$....

24 (2) For the .... (insert the first levy year for which  
25 the new rate or increase limiting rate will be applicable)  
26 levy year the approximate amount of the additional tax

1 extendable against property containing a single family  
2 residence and having a fair market value at the time of the  
3 referendum of \$100,000 is estimated to be \$....

4 If a proposition contains the language in substantially  
5 the form provided in paragraphs (1) and (2), the referendum is  
6 valid notwithstanding any other provision of the law.  
7 Notwithstanding any provision of this Section, any referendum  
8 imposing an annual tax on or after January 1, 1994 and prior to  
9 the effective date of this amendatory Act of the 103rd General  
10 Assembly that complies with this Section is hereby validated.

11 If a majority of all the votes cast upon the proposition  
12 are in favor thereof, the governing body of such governmental  
13 unit shall establish and maintain such community mental health  
14 facilities and services and shall annually levy such tax.  
15 Thereafter, the governing body shall in the annual  
16 appropriation bill appropriate from such funds such sum or  
17 sums of money as may be deemed necessary, based upon the  
18 community mental health board's budget, the board's annual  
19 mental health report, and the board's plan to defray necessary  
20 expenses and liabilities in providing for such community  
21 mental health facilities and services.

22 Nothing in this Section prevents a governmental unit from  
23 levying less than the amount approved by the voters via  
24 referendum in any given year or varying the amount levied from  
25 year to year as approved by the governmental unit.

26 (Source: P.A. 103-592, eff. 6-7-24.)

1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.".