

1 AN ACT in relation to taxes.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Municipal Code is amended by
5 changing Section 8-3-1 as follows:

6 (65 ILCS 5/8-3-1) (from Ch. 24, par. 8-3-1)

7 Sec. 8-3-1. Manner of levy and collection of taxes.

8 The corporate authorities may levy and collect taxes for
9 corporate purposes. They shall do this in the following
10 manner:

11 On or before the last Tuesday in December in each year,
12 the corporate authorities shall ascertain the total amount of
13 ~~appropriations-legally-made-or~~ budgeted for and any amount
14 deemed necessary to defray additional expenses and
15 liabilities for all corporate purposes to be provided for by
16 the tax levy for the next fiscal ~~of-that~~ year. Then, by an
17 ordinance specifying the amount and purpose of the sums to be
18 levied in-detail-in-the--manner--authorized--for--the--annual
19 appropriation--ordinance--or--budget-of-the-municipality, ~~the~~
20 ~~purposes-for-which--the--appropriations,~~ ~~budgeting--or--such~~
21 ~~additional--amounts--deemed--necessary-have-been-made-and-the~~
22 ~~amount--assignable--for--each---purpose---respectively,~~ the
23 corporate authorities shall levy upon all property subject to
24 taxation within the municipality as that property is assessed
25 and equalized for state and county purposes for the current
26 year.

27 A certified copy of this ordinance shall be filed with
28 the county clerk of the proper county. He shall ascertain the
29 rate per cent which, upon the value of all property subject
30 to taxation within the municipality, as that property is
31 assessed or equalized by the Department of Revenue, will

1 produce a net amount of not less than the total amount so
2 directed to be levied. The county clerk shall extend this tax
3 in a separate column upon the books of the collector of state
4 and county taxes within the municipality.

5 However, in ascertaining the rate per cent in
6 municipalities having a population of 500,000 or more, the
7 county clerk shall not add to the amount of the tax so levied
8 for any purpose any amount to cover the loss and cost of
9 collecting the tax, except in the case of amounts levied for
10 the payment of bonded indebtedness, or interest thereon, and
11 in the case of amounts levied for the purposes of pension
12 funds.

13 Where the corporate limits of a municipality lie partly
14 in 2 or more counties, the corporate authorities shall
15 ascertain the total amount of all taxable property lying
16 within the corporate limits of that municipality in each
17 county, as the property is assessed or equalized by the
18 Department of Revenue for the current year, and shall certify
19 the amount of taxable property in each county within that
20 municipality under the seal of the municipality, to the
21 county clerk of the county where the seat of government of
22 the municipality is situated. That county clerk shall
23 ascertain the rate per cent which, upon the total valuation
24 of all property subject to taxation within that municipality,
25 ascertained as provided in this Section, will produce a net
26 amount not less than the total amount directed to be levied.
27 As soon as that rate per cent is ascertained, that clerk
28 shall certify the rate per cent under his signature and seal
29 of office to the county clerk of each other county wherein a
30 portion of that municipality is situated. A county clerk to
31 whom a rate per cent is certified shall extend the tax in a
32 separate column upon the books of the collector of state and
33 county taxes for his county against all property in his
34 county within the limits of that municipality.

1 But in municipalities with 500,000 or more inhabitants,
2 the aggregate amount of taxes so levied exclusive of the
3 amount levied for the payment of bonded indebtedness, or
4 interest thereon, and exclusive of taxes levied for the
5 payment of judgments, for which a special tax is authorized
6 by law, and exclusive of the amounts levied for the purposes
7 of pension funds, working cash fund, public library,
8 municipal tuberculosis sanitarium, the propagation and
9 preservation of community trees, and exclusive of taxes
10 levied pursuant to Section 19 of the Illinois Emergency
11 Services and Disaster Agency Act of 1975 and for the general
12 assistance for needy persons lawfully resident therein, shall
13 not exceed the estimated amount of taxes to be levied for
14 each year for the purposes specified in Sections 8-2-2
15 through 8-2-5 and set forth in its annual appropriation
16 ordinance and in any supplemental appropriation ordinance
17 authorized by law for that year.

18 In municipalities with less than 500,000 inhabitants, the
19 aggregate amount of taxes so levied for any one year,
20 exclusive of the amount levied for the payment of bonded
21 indebtedness, or interest thereon, and exclusive of taxes
22 levied pursuant to Section 13 of the Illinois Civil Defense
23 Act of 1951 and exclusive of taxes authorized by this Code or
24 other Acts which by their terms provide that those taxes
25 shall be in addition to taxes for general purposes authorized
26 under this Section, shall not exceed the rate of .25%, or the
27 rate limit in effect on July 1, 1967, whichever is greater,
28 and on a permanent basis, upon the aggregate valuation of all
29 property within the municipality subject to taxation therein,
30 as the property is equalized or assessed by the Department of
31 Revenue for the current year. However, if the maximum rate of
32 such municipality for general corporate purposes is less than
33 .20% on July 1, 1967, the corporate authorities may, without
34 referendum, increase such maximum rate not to exceed .25%;

1 but such maximum rate shall not be raised by more than 1/2 of
2 such increase in any one year.

3 However, if the corporate authorities of a municipality
4 with less than 500,000 inhabitants desire to levy in any one
5 year more than .25%, or the rate limit in effect on July 1,
6 1967, whichever is greater, and on a permanent basis, but not
7 more than .4375% for general corporate purposes, exclusive of
8 the amount levied for the payment of bonded indebtedness, or
9 interest thereon, and exclusive of taxes authorized by this
10 Code or other Acts which by their terms provide that those
11 taxes shall be in addition to taxes for general purposes
12 authorized under this Section the corporate authorities, by
13 ordinance, stating the per cent so desired, may order a
14 proposition for the additional amount to be submitted to the
15 electors of that municipality at any election. The clerk
16 shall certify the proposition to the proper election
17 authority who shall submit the question to the electors at
18 such election. If a majority of the votes cast on the
19 proposition are in favor of the proposition, the corporate
20 authorities of that municipality may levy annually for
21 general corporate purposes, exclusive of the amount levied
22 for the payment of bonded indebtedness, or interest thereon,
23 and exclusive of taxes authorized by this Code or other Acts
24 which by their terms provide that those taxes are in addition
25 to taxes for general purposes authorized under this Section a
26 tax in excess of .25%, or the rate in effect on July 1, 1967,
27 whichever is greater, and on a permanent basis, but not
28 exceeding the per cent mentioned in the proposition.

29 Any municipality voting after August 1, 1969, to increase
30 its rate limitation for general corporate purposes under this
31 Section shall establish such increased rate limitation on an
32 ongoing basis unless otherwise changed by referendum.

33 In municipalities that are not home rule units, any funds
34 on hand at the end of the fiscal year, which funds are not

1 pledged for or allocated to a particular purpose, may by
2 action of the corporate authorities be transferred to the
3 capital improvement fund and accumulated therein, but the
4 total amount accumulated in such fund may not exceed 3% of
5 the aggregate assessed valuation of all taxable property in
6 the municipality.

7 (Source: P.A. 87-17.)