

1 bonds for those purposes under this Article. The total amount
 2 of bonds to be issued under this Section may not exceed 5% of
 3 the valuation of all taxable property in the township and
 4 shall be set forth in the question as a dollar amount. The
 5 township clerk shall certify that proposition to the proper
 6 election officials, who shall submit the proposition to the
 7 township voters at the next regular election. The referendum
 8 shall be conducted and notice given in accordance with the
 9 general election law.

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

12 Shall (name of township) adopt the open space plan
 13 considered at the public hearing on (date) and enter upon
 14 an open space program, and shall the Township Board have
 15 the power (i) to acquire open land by purchase (insert ",
 16 condemnation," if the township is in a county having a
 17 population of more than 250,000) or otherwise, (ii) to
 18 issue bonds for open space purposes in an amount not
 19 exceeding \$(amount), and (iii) to levy a tax to pay the
 20 principal of and interest on those bonds, as provided in
 21 Article 115 of the Township Code?

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

23 (c) If a majority of the voters voting at the election
 24 on the question vote in favor of the question, the township
 25 shall thereafter adopt the open space plan recommended by the
 26 board or by the petition of the registered voters of the
 27 township and shall enter upon an open space program under
 28 this Article. If the proposition does not receive the
 29 approval of a majority of the voters voting at the election
 30 on the question, no proposition may be submitted to the
 31 voters under this Section less than 23 months after the date
 32 of the election.

33 (d) If a majority of the legal voters voting at
 34 referendum in any township approved a proposition at the

1 consolidated election in 2001 in reliance upon and consistent
2 with this Section 115-20 as it existed prior to the effective
3 date of Public Act 91-847, then that referendum and all
4 actions taken in reliance thereon are hereby authorized and
5 validated in all respects.

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

7 (60 ILCS 1/115-105)

8 Sec. 115-105. Borrowing money; bonds. The township
9 board may borrow money and issue bonds, after referendum, for
10 the purpose of acquiring, developing, rehabilitating and
11 renovating open lands for open space purposes, as defined in
12 Section 115-5, pursuant to an open space program adopted as
13 provided in this Article, in and for the township in any
14 amount not to exceed 5% on the valuation of taxable property
15 in the township, to be ascertained by the last assessment for
16 State and county taxes previous to the incurring of such
17 indebtedness or, until January 1, 1983, if greater, the sum
18 that is produced by multiplying the township's 1978 equalized
19 assessed valuation by the debt limitation percentage on
20 January 1, 1979.

21 Whenever the board desires to issue bonds under this
22 Article, or whenever the board receives a petition from not
23 less than 5% or 50, whichever is greater, of the registered
24 voters of the township, according to the voting registration
25 records at the time the petition is filed, requesting the
26 board to issue bonds under this Article, the board,
27 concurrently with the filing of a petition with the township
28 clerk requesting him to submit to the voters of the township
29 at the next election the question of whether or not to adopt
30 an open space plan and enter upon an open space program,
31 shall certify that proposition to the proper election
32 officials who shall submit to the voters of the township at
33 the next election the question of whether or not the board

1 shall issue bonds to finance an open space program and
2 provide for the levy and collection of a direct annual tax
3 upon all taxable property within the township to meet the
4 principal and interest on the bonds as they mature, which tax
5 shall be in addition to and in excess of any other tax
6 authorized to be levied by the township. The amount of bonds
7 to be issued under this Section shall be set forth in the
8 question as a dollar amount. The election shall be conducted
9 and notice given in accordance with the general election law.
10 The question submitted to the voters at the election shall be
11 in substantially the following form:

12 Shall (name of township) issue bonds to finance the
13 acquisition, maintenance, development, rehabilitation and
14 renovation of open space lands for open space purposes as
15 provided by the Township Open Space Article of the
16 Township Code and levy and collect property taxes, in
17 excess of any other tax authorized to be levied by the
18 township, sufficient to meet the principal and interest
19 on the bonds as they mature, but not in an amount in
20 excess of \$(amount)?

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

22 If a majority of the voters voting on the question vote
23 in favor of the question, the board shall issue bonds as
24 provided in this Article provided such bonds are issued
25 within 6 months after the voters vote favorably on such
26 question. If such proposition does not receive the approval
27 of a majority of the voters voting at the election on the
28 question, no proposition may be submitted to such voters
29 pursuant to this Section less than 23 months after the date
30 of such election.

31 The board shall then adopt a resolution authorizing the
32 issuance of such bonds, prescribing all the details thereof,
33 and stating the time or times when the principal thereof and
34 the interest on the bonds become payable, and the place of

1 payment thereof. The bonds must, however, be payable within
2 not less than 3 nor more than 40 years from date thereof, and
3 be issued to bear interest at not to exceed the maximum rate
4 authorized by the Bond Authorization Act, as amended at the
5 time of the making of the contract. Such a resolution shall
6 provide for the levy and collection of a direct annual tax
7 upon all the taxable property within the corporate limits of
8 such township sufficient to meet the principal of and
9 interest on the bonds as they mature, which tax shall be in
10 addition to and in excess of any other tax authorized to be
11 levied by the township.

12 A certified copy of the resolution providing for the
13 issuance of any such bonds shall be filed with the county
14 clerk of the county in which the township is located and
15 constitutes the basis and authority of the county clerk for
16 the extension and collection of the tax necessary to pay the
17 principal of and interest upon the bonds issued under the
18 resolution.

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 Public Act 86-004, it is and always has
22 been the intention of the General Assembly (i) that the
23 Omnibus Bond Acts are and always have been supplementary
24 grants of power to issue instruments in accordance with the
25 Omnibus Bond Acts, regardless of any provision of this
26 Article that may appear to be or to have been more
27 restrictive than those Acts, (ii) that the provisions of this
28 Section are not a limitation on the supplementary authority
29 granted by the Omnibus Bonds Acts, and (iii) that instruments
30 issued under this Section within the supplementary authority
31 granted by the Omnibus Bond Acts are not invalid because of
32 any provision of this Article that may appear to be or to
33 have been more restrictive than those Acts.

34 If a majority of the legal voters voting at referendum in

1 any township approved a proposition at the consolidated
2 election in 2001 in reliance upon and consistent with this
3 Section 115-105 as it existed prior to the effective date of
4 Public Act 91-847, then that referendum and all actions taken
5 in reliance thereon are hereby authorized and validated in
6 all respects.

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

8 Section 10. The School Code is amended by changing
9 Sections 17-3 and 19-3 as follows:

10 (105 ILCS 5/17-3) (from Ch. 122, par. 17-3)

11 Sec. 17-3. Additional levies-Submission to voters. The
12 school board in any district having a population of less than
13 500,000 inhabitants may, by proper resolution, cause a
14 proposition to increase, for a limited period of not less
15 than 3 nor more than 10 years or for an unlimited period, the
16 annual tax rate for educational purposes to be submitted to
17 the voters of such district at a regular scheduled election
18 as follows:

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

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

32 If the resolution of the school board seeks to increase

1 the annual tax rate for educational purposes for a limited
2 period of not less than 3 nor more than 10 years, the
3 proposition shall so state and shall identify the years for
4 which the tax increase is sought.

5 If a majority of the votes cast on the proposition is in
6 favor thereof, the school board may thereafter, until such
7 authority is revoked in like manner, levy annually the tax so
8 authorized; provided that if the proposition as approved
9 limits the increase in the annual tax rate of the district
10 for educational purposes to a period of not less than 3 nor
11 more than 10 years, the district may, unless such authority
12 is sooner revoked in like manner, levy annually the tax so
13 authorized for the limited number of years approved by a
14 majority of the votes cast on the proposition. Upon
15 expiration of that limited period, the rate at which the
16 district may annually levy its tax for educational purposes
17 shall be the rate provided under Section 17-2, or the rate at
18 which the district last levied its tax for educational
19 purposes prior to approval of the proposition authorizing the
20 levy of that tax at an increased rate, whichever is greater.

21 The school board shall certify the proposition to the
22 proper election authorities in accordance with the general
23 election law.

24 If (i) at least 55% of the legal voters voting at
25 referendum on the question of a school district tax rate
26 increase proposition at the 2001 consolidated election voted
27 in favor of that proposition and (ii) the election
28 authorities gave notice of the question by publication of a
29 true and legible copy of the specimen ballot label containing
30 the proposition in the form in which it appeared on the
31 official ballot label on the day of the election at least 5
32 days before the day of the election in at least one newspaper
33 published in and having a general circulation in the
34 district, then that referendum and all actions taken in

1 reliance thereon are hereby authorized and validated in all
2 respects, notwithstanding any other notice requirements of
3 this Code or any other law to the contrary.

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

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

6 Sec. 19-3. Boards of education. Any school district
7 governed by a board of education and having a population of
8 not more than 500,000 inhabitants, and not governed by a
9 special Act may borrow money for the purpose of building,
10 equipping, altering or repairing school buildings or
11 purchasing or improving school sites, or acquiring and
12 equipping playgrounds, recreation grounds, athletic fields,
13 and other buildings or land used or useful for school
14 purposes or for the purpose of purchasing a site, with or
15 without a building or buildings thereon, or for the building
16 of a house or houses on such site, or for the building of a
17 house or houses on the school site of the school district,
18 for residential purposes of the superintendent, principal, or
19 teachers of the school district, and issue its negotiable
20 coupon bonds therefor signed by the president and secretary
21 of the board, in denominations of not less than \$100 nor more
22 than \$5,000, payable at such place and at such time or times,
23 not exceeding 20 years from date of issuance, as the board of
24 education may prescribe, and bearing interest at a rate not
25 to exceed the maximum rate authorized by the Bond
26 Authorization Act, as amended at the time of the making of
27 the contract, payable annually, semiannually or quarterly,
28 but no such bonds shall be issued unless the proposition to
29 issue them is submitted to the voters of the district at a
30 referendum held at a regularly scheduled election after the
31 board has certified the proposition to the proper election
32 authorities in accordance with the general election law, a
33 majority of all the votes cast on the proposition is in favor

1 of the proposition, and notice of such bond referendum (if
2 heretofore or hereafter held at any general or consolidated
3 election) has been given either (i) in accordance with the
4 second paragraph of Section 12-1 of the Election Code
5 irrespective of whether such notice included any reference to
6 the public question as it appeared on the ballot, or (ii) for
7 an election held on or after November 1, 1998, in accordance
8 with Section 12-5 of the Election Code, or (iii) by
9 publication of a true and legible copy of the specimen ballot
10 label containing the proposition in the form in which it
11 appeared or will appear on the official ballot label on the
12 day of the election at least 5 days before the day of the
13 election in at least one newspaper published in and having a
14 general circulation in each county in which the district is
15 located, irrespective of any other requirements of Article 12
16 or Section 24A-18 of the Election Code, nor shall any
17 residential site be acquired unless such proposition to
18 acquire a site is submitted to the voters of the district at
19 a referendum held at a regularly scheduled election after the
20 board has certified the proposition to the proper election
21 authorities in accordance with the general election law and a
22 majority of all the votes cast on the proposition is in favor
23 of the proposition. Nothing in this Act or in any other law
24 shall be construed to require the notice of the bond
25 referendum to be published over the name or title of the
26 election authority or the listing of maturity dates of any
27 bonds either in the notice of bond election or ballot used in
28 the bond election. The provisions of this Section concerning
29 notice of the bond referendum apply only to elections held
30 before July 1, 1999; thereafter, notices required in
31 connection with the submission of public questions shall be
32 as set forth in Section 12-5 of the Election Code. Such
33 proposition may be initiated by resolution of the school
34 board.

1 With respect to instruments for the payment of money
2 issued under this Section either before, on, or after the
3 effective date of this amendatory Act of 1989, it is and
4 always has been the intention of the General Assembly (i)
5 that the Omnibus Bond Acts are and always have been
6 supplementary grants of power to issue instruments in
7 accordance with the Omnibus Bond Acts, regardless of any
8 provision of this Act that may appear to be or to have been
9 more restrictive than those Acts, (ii) that the provisions of
10 this Section are not a limitation on the supplementary
11 authority granted by the Omnibus Bond Acts, and (iii) that
12 instruments issued under this Section within the
13 supplementary authority granted by the Omnibus Bond Acts are
14 not invalid because of any provision of this Act that may
15 appear to be or to have been more restrictive than those
16 Acts.

17 The proceeds of any bonds issued under authority of this
18 Section shall be deposited and accounted for separately
19 within the Site and Construction/Capital Improvements Fund.

20 If (i) at least 60% of the legal voters voting at
21 referendum on the question of a school district bond
22 proposition at the 2001 consolidated election voted in favor
23 of that proposition and (ii) the election authorities gave
24 notice of the question by publication of a true and legible
25 copy of the specimen ballot label containing the proposition
26 in the form in which it appeared on the official ballot label
27 on the day of the election at least 5 days before the day of
28 the election in at least one newspaper published in and
29 having a general circulation in the district, then that
30 referendum and all actions taken in reliance thereon are
31 hereby authorized and validated in all respects,
32 notwithstanding any other notice requirements of this Code or
33 any other law to the contrary.

34 (Source: P.A. 90-811, eff. 1-26-99; 90-812, eff. 1-26-99;

1 91-57, eff. 6-30-99.)

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

3 becoming law.".