LEGISLATIVE SUB-COMMITTEE AGENDA
Room 404, Government Center

Tuesday, March 25, 2008
3:00 P.M.

1. Call to Order

2. Roll Call

3. Items Presented for Action:

A. Proposed 2007 Legislative Program
   1) Support Legislation to Adequately Fund Probation Services
      a) HB 5182 – Create Illinois Office of Probation Services 1
      b) SB 2181 – Allows County to impose Sales Tax for Probation Services 2-11
   2) Support SB 2005 – Amendment to Inoperable Motor Vehicle Statute 12-16
   3) Support Amendments to the Emergency Telephone Systems Act
      a) HB 4505 – Allows ETSB funds to be spent for Emergency Warning System 17-23
      b) HB 4725 – Allows County Board members to serve on ETSB 24-32
   4) Support County Board Authority to Increase Court Fees
      a) HB 4956 – Allows County Board to increase Children's Waiting Room Fee from $5.00 to $10.00 33-36
      b) SB 2321 – Allows County Board to increase Law Library Fees 37-41
   5) Other Legislation to Support
      a) HB 4599 – Allows Property Tax Assessments to be published via Internet 42
      b) SB 1965 – Increases State Reimbursement for Prisoner Medical Costs 43

6) Oppose HB 1518 – Raises Juvenile Delinquent Age from 17 to 18 44-45

7) Oppose HB 4164 – Limits Special Use Permits to 5 Years 46-53

4. Items to be Presented for Information:

A. Metro Counties Legislative Update 54

B. Second Amendment Resolution 55

C. Veterans Resolution 56-59

D. "Illinois Works" Capital Construction Program

E. Federal Transportation Bill

F. Federal Bankruptcy Law

5. Adjournment

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Bill Status of HB5182 *95th General Assembly*

Short Description: PROBATION AGENCY

House Sponsors
Rep. Marlow H. Colvin

Last Action

Date	Chamber	Action
2/14/2008	House	Referred to Rules Committee

Statutes Amended In Order of Appearance

730 ILCS 5/Act title	Unified Code of Corrections.
730 ILCS 5/5-5.5-40	
730 ILCS 110/9b	from Ch. 38, par. 204-1b
730 ILCS 110/13	from Ch. 38, par. 204-5
730 ILCS 110/14	from Ch. 38, par. 204-6
730 ILCS 110/15	from Ch. 38, par. 204-7
730 ILCS 110/15.1	from Ch. 38, par. 204-7.1
730 ILCS 110/16	from Ch. 38, par. 204-8
730 ILCS 110/16.1	

Synopsis As Introduced
Amends the Unified Code of Corrections and the Probation and Probation Officers Act. Abolishes the Division of Probation Services of the Illinois Supreme Court. Transfers the Division's powers and duties to the Illinois Office of Probation Services. Transfers various functions relating to probation services from the chief judge of the circuit court or his or her designee to the county board or the county board chairman or president.

Actions

Date	Chamber	Action
2/14/2008	House	Filed with the Clerk by Rep. Marlow H. Colvin
2/14/2008	**House**	**First Reading**
2/14/2008	**House**	**Referred to Rules Committee**

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Bill Status of SB2181 *95th General Assembly*

Short Description: CNTY CODE-PROBATION SERVICES

Senate Sponsors
Sen. James F. Clayborne Jr.

Last Action

Date	Chamber	Action
3/12/2008	Senate	Placed on Calendar Order of 2nd Reading March 13, 2008

Statutes Amended In Order of Appearance
55 ILCS 5/5-1005.6 new

Synopsis As Introduced
Amends the Counties Code. Provides that a county may impose a special county retailers' occupation tax for probation services.

Actions

Date	Chamber	Action
2/14/2008	Senate	Filed with Secretary by Sen. James F. Clayborne, Jr.
2/14/2008	**Senate**	**First Reading**
2/14/2008	Senate	Referred to Rules
3/5/2008	Senate	Assigned to Local Government
3/12/2008	Senate	Do Pass Local Government; 006-004-000
3/12/2008	**Senate**	**Placed on Calendar Order of 2nd Reading March 13, 2008**

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SB2181

95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2181

Introduced 2/14/2008, by Sen. James F. Clayborne, Jr.

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-1005.6 new

Amends the Counties Code. Provides that a county may impose a special county retailers' occupation tax for probation services.

LRB095 18884 HLH 45028 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

AN ACT concerning local government.

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

Section 5. The Counties Code is amended by adding Section 5-1005.6 as follows:

(55 ILCS 5/5-1005.6 new)

Sec. 5-1005.6. Special County Retailers' Occupation Tax For Probation Services.

(a) The county board of any county may impose a tax upon all persons engaged in the business of selling tangible personal property, other than personal property titled or registered with an agency of this State's government, at retail in the county on the gross receipts from the sales made in the course of business to provide revenue to be used exclusively for probation services in that county. If imposed, this tax shall be imposed only in one-quarter percent increments.

This additional tax may not be imposed on the sales of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food which has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes, and needles used by diabetics. The tax imposed by a county under

this Section and all civil penalties that may be assessed as an incident of the tax shall be collected and enforced by the Illinois Department of Revenue and deposited into a special fund created for that purpose. The certificate of registration that is issued by the Department to a retailer under the Retailers' Occupation Tax Act shall permit the retailer to engage in a business that is taxable without registering separately with the Department under an ordinance or resolution under this Section. The Department has full power to administer and enforce this Section, to collect all taxes and penalties due under this Section, to dispose of taxes and penalties so collected in the manner provided in this Section, and to determine all rights to credit memoranda arising on account of the erroneous payment of a tax or penalty under this Section. In the administration of and compliance with this Section, the Department and persons who are subject to this Section shall (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and (iii) employ the same modes of procedure as are prescribed in Sections 1, 1a, 1a-1, 1d, 1e, 1f, 1i, 1j, 1k, 1m, 1n, 2 through 2-70 (in respect to all provisions contained in those Sections other than the State rate of tax), 2a, 2b, 2c, 3 (except provisions relating to transaction returns and quarter monthly payments), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 11a, 12, and 13 of

the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act as if those provisions were set forth in this Section.

Persons subject to any tax imposed under the authority granted in this Section may reimburse themselves for their sellers' tax liability by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax which sellers are required to collect under the Use Tax Act, pursuant to such bracketed schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this Section to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified and to the person named in the notification from the Department. The refund shall be paid by the State Treasurer out of the County Probation Services Retailers' Occupation Tax Fund.

(b) If a tax has been imposed under subsection (a), a service occupation tax shall also be imposed at the same rate upon all persons engaged, in the county, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the county as an incident to a sale of service. This tax may not be imposed on sales of food for human consumption that is to be consumed off the premises where it is sold (other than

alcoholic beverages, soft drinks, and food prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes, and needles used by diabetics. The tax imposed under this subsection and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the Department of Revenue. The Department has full power to administer and enforce this subsection; to collect all taxes and penalties due hereunder; to dispose of taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of, and compliance with this subsection, the Department and persons who are subject to this paragraph shall (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions, and definitions of terms, and (iii) employ the same modes of procedure as are prescribed in Sections 2 (except that the reference to State in the definition of supplier maintaining a place of business in this State shall mean the county), 2a, 2b, 2c, 3 through 3-50 (in respect to all provisions therein other than the State rate of tax), 4 (except that the reference to the State shall be to the county), 5, 7, 8 (except that the jurisdiction to which the tax shall be a debt to the extent indicated in that Section 8 shall be the county), 9 (except as

to the disposition of taxes and penalties collected), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State shall mean the county), Section 15, 16, 17, 18, 19 and 20 of the Service Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this subsection may reimburse themselves for their serviceman's tax liability by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax that servicemen are authorized to collect under the Service Use Tax Act, in accordance with such bracket schedules as the Department may prescribe

Whenever the Department determines that a refund should be made under this subsection to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of the County Probation Services Retailers' Occupation Fund.

Nothing in this subsection shall be construed to authorize the county to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States

may not be made the subject of taxation by the State.

(c) The Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes and penalties collected under this Section to be deposited into the County Probation Services Retailers' Occupation Tax Fund, which shall be an unappropriated trust fund held outside of the State treasury. On or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the disbursement of stated sums of money to the counties from which retailers have paid taxes or penalties to the Department during the second preceding calendar month. The amount to be paid to each county, and deposited by the county into its special fund created for the purposes of this Section, shall be the amount (not including credit memoranda) collected under this Section during the second preceding calendar month by the Department plus an amount the Department determines is necessary to offset any amounts that were erroneously paid to a different taxing body, and not including (i) an amount equal to the amount of refunds made during the second preceding calendar month by the Department on behalf of the county and (ii) any amount that the Department determines is necessary to offset any amounts that were payable to a different taxing body but were erroneously paid to the county. Within 10 days after receipt by the Comptroller of the disbursement certification to the counties provided for in this Section to be given to the Comptroller by the Department, the Comptroller shall cause the orders to be

drawn for the respective amounts in accordance with directions contained in the certification.

In addition to the disbursement required by the preceding paragraph, an allocation shall be made in March of each year to each county that received more than $500,000 in disbursements under the preceding paragraph in the preceding calendar year. The allocation shall be in an amount equal to the average monthly distribution made to each such county under the preceding paragraph during the preceding calendar year. The distribution made in March of each year subsequent to the year in which an allocation was made pursuant to this paragraph and the preceding paragraph shall be reduced by the amount allocated and disbursed under this paragraph in the preceding calendar year. The Department shall prepare and certify to the Comptroller for disbursement the allocations made in accordance with this paragraph.

(d) For the purpose of determining the local governmental unit whose tax is applicable, a retail sale by a producer of coal or another mineral mined in Illinois is a sale at retail at the place where the coal or other mineral mined in Illinois is extracted from the earth. This paragraph does not apply to coal or another mineral when it is delivered or shipped by the seller to the purchaser at a point outside Illinois so that the sale is exempt under the United States Constitution as a sale in interstate or foreign commerce.

(e) Nothing in this Section shall be construed to authorize

1 a county to impose a tax upon the privilege of engaging in any
2 business that under the Constitution of the United States may
3 not be made the subject of taxation by this State.
4 (f) When certifying the amount of a monthly disbursement to
5 a county under this Section, the Department shall increase or
6 decrease the amounts by an amount necessary to offset any
7 miscalculation of previous disbursements. The offset amount
8 shall be the amount erroneously disbursed within the previous 6
9 months from the time a miscalculation is discovered.
10 (g) This Section may be cited as the "Special County
11 Occupation Tax For Probation Services Law".

Bill Status of SB2005 *95th General Assembly*

Short Description: CNTY CD-INOPERABLE VEHICLES

Senate Sponsors
Sen. Terry Link

Last Action

Date	Chamber	Action
3/13/2008	Senate	Placed on Calendar Order of 3rd Reading April 1, 2008

Statutes Amended In Order of Appearance

55 ILCS 5/5-1092 from Ch. 34, par. 5-1092

Synopsis As Introduced
Amends the Counties Code. Provides that the definition of "inoperable vehicle" includes any motor vehicle that does not have a current license plate or current license tags attached to it if a current license plate or license tags are otherwise required under the Illinois Vehicle Code. Effective immediately.

Senate Committee Amendment No. 1
Deletes everything after the enacting clause. Amends the Counties Code. Reinserts the substantive provisions of the introduced bill, and provides that those provisions apply in a non-home rule county with a population of more than 250,000. Effective immediately.

Senate Committee Amendment No. 2
Provides that, in a county with a population of more than 500,000 (instead of 250,000), the definition of "inoperable motor vehicle" includes a motor vehicle that does not have a current license plate or current license tags.

Actions

Date	Chamber	Action
2/7/2008	Senate	Filed with Secretary by Sen. Terry Link
2/7/2008	**Senate**	**First Reading**
2/7/2008	Senate	Referred to Rules
2/14/2008	Senate	Assigned to Local Government
2/21/2008	Senate	Held in Local Government
2/21/2008	Senate	Senate Committee Amendment No. 1 Filed with Secretary by Sen. Terry Link
2/21/2008	Senate	Senate Committee Amendment No. 1 Referred to Rules
2/27/2008	Senate	Senate Committee Amendment No. 1 Rules Refers to Local Government
2/28/2008	Senate	Senate Committee Amendment No. 1 Held in Local Government
2/28/2008	Senate	Held in Local Government
2/28/2008	Senate	Senate Committee Amendment No. 2 Filed with Secretary by Sen. Terry Link
2/28/2008	Senate	Senate Committee Amendment No. 2 Referred to Rules
3/5/2008	Senate	Senate Committee Amendment No. 2 Rules Refers to Local Government

3/6/2008	Senate	Senate Committee Amendment No. 1 Adopted
3/6/2008	Senate	Senate Committee Amendment No. 2 Adopted
3/6/2008	Senate	Do Pass as Amended Local Government; 010-000-000
3/6/2008	Senate	Placed on Calendar Order of 2nd Reading March 11, 2008
3/13/2008	**Senate**	**Second Reading**
3/13/2008	**Senate**	**Placed on Calendar Order of 3rd Reading April 1, 2008**

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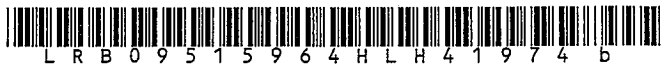
SB2005



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2005

Introduced 2/7/2008, by Sen. Terry Link

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-1092 from Ch. 34, par. 5-1092

Amends the Counties Code. Provides that the definition of "inoperable vehicle" includes any motor vehicle that does not have a current license plate or current license tags attached to it if a current license plate or license tags are otherwise required under the Illinois Vehicle Code. Effective immediately.

LRB095 15964 HLH 41974 b

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Counties Code is amended by changing Section
5 5-1092 as follows:

6 (55 ILCS 5/5-1092) (from Ch. 34, par. 5-1092)
7 Sec. 5-1092. Inoperable motor vehicles. A county board may
8 declare by ordinance inoperable motor vehicles, whether on
9 public or private property, to be a nuisance and authorize
10 fines to be levied for the failure of any person to obey a
11 notice received from the county which states that such person
12 is to dispose of any inoperable motor vehicles under his
13 control, and may authorize a law enforcement agency, with
14 applicable jurisdiction, to remove, after 7 days from the
15 issuance of the county notice, any inoperable motor vehicle or
16 parts thereof. However, nothing in this Section shall apply to
17 any motor vehicle that is kept within a building when not in
18 use, to operable historic vehicles over 25 years of age, or to
19 a motor vehicle on the premises of a place of business engaged
20 in the wrecking or junking of motor vehicles.
21 As used in this Section, "inoperable motor vehicle" means
22 <u>any motor vehicle that does not have a current license plate or</u>
23 <u>current license tags attached to it if a current license plate</u>

1 or license tags are otherwise required under the Illinois
2 Vehicle Code, or any motor vehicle from which, for a period of
3 at least 7 days or any longer period of time fixed by
4 ordinance, the engine, wheels or other parts have been removed,
5 or on which the engine, wheels or other parts have been
6 altered, damaged or otherwise so treated that the vehicle is
7 incapable of being driven under its own motor power.
8 "Inoperable motor vehicle" shall not include a motor vehicle
9 which has been rendered temporarily incapable of being driven
10 under its own motor power in order to perform ordinary service
11 or repair operations.
12 (Source: P.A. 86-962.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.

Bill Status of HB4505 *95th General Assembly*

Short Description: EMERG TEL SYSTEMS-WARNING

House Sponsors
Rep. Roger L. Eddy

Last Action

Date	Chamber	Action
3/13/2008	House	Placed on Calendar 2nd Reading - Short Debate

Statutes Amended In Order of Appearance

50 ILCS 750/15.4 from Ch. 134, par. 45.4

Synopsis As Introduced
Amends the Emergency Telephone System Act. Provides that moneys in an Emergency Telephone System Fund account established by a municipality or county may be used to pay for costs associated with emergency warning systems. Effective immediately.

Actions

Date	Chamber	Action
1/17/2008	House	Filed with the Clerk by Rep. Roger L. Eddy
1/18/2008	**House**	**First Reading**
1/18/2008	House	Referred to Rules Committee
3/11/2008	House	Assigned to Telecommunications Committee
3/11/2008	House	Motion to Suspend Rule 25 - Prevailed
3/13/2008	House	Do Pass / Short Debate Telecommunications Committee; 022-000-000
3/13/2008	**House**	**Placed on Calendar 2nd Reading - Short Debate**

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HB4505

95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4505

by Rep. Roger L. Eddy

SYNOPSIS AS INTRODUCED:

50 ILCS 750/15.4 from Ch. 134, par. 45.4

Amends the Emergency Telephone System Act. Provides that moneys in an Emergency Telephone System Fund account established by a municipality or county may be used to pay for costs associated with emergency warning systems. Effective immediately.

LRB095 16936 HLH 42981 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

AN ACT concerning local government.

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

Section 5. The Emergency Telephone System Act is amended by changing Section 15.4 as follows:

(50 ILCS 750/15.4) (from Ch. 134, par. 45.4)

Sec. 15.4. Emergency Telephone System Board; powers.

(a) The corporate authorities of any county or municipality that imposes a surcharge under Section 15.3 shall establish an Emergency Telephone System Board. The corporate authorities shall provide for the manner of appointment and the number of members of the Board, provided that the board shall consist of not fewer than 5 members, one of whom must be a public member who is a resident of the local exchange service territory included in the 9-1-1 coverage area, one of whom (in counties with a population less than 100,000) must be a member of the county board, and at least 3 of whom shall be representative of the 9-1-1 public safety agencies, including but not limited to police departments, fire departments, emergency medical services providers, and emergency services and disaster agencies, and appointed on the basis of their ability or experience. Elected officials are also eligible to serve on the board. Members of the board shall serve without compensation

1 but shall be reimbursed for their actual and necessary
2 expenses. Any 2 or more municipalities, counties, or
3 combination thereof, that impose a surcharge under Section 15.3
4 may, instead of establishing individual boards, establish by
5 intergovernmental agreement a Joint Emergency Telephone System
6 Board pursuant to this Section. The manner of appointment of
7 such a joint board shall be prescribed in the agreement.
8 (b) The powers and duties of the board shall be defined by
9 ordinance of the municipality or county, or by
10 intergovernmental agreement in the case of a joint board. The
11 powers and duties shall include, but need not be limited to the
12 following:
13 (1) Planning a 9-1-1 system.
14 (2) Coordinating and supervising the implementation,
15 upgrading, or maintenance of the system, including the
16 establishment of equipment specifications and coding
17 systems.
18 (3) Receiving moneys from the surcharge imposed under
19 Section 15.3, and from any other source, for deposit into
20 the Emergency Telephone System Fund.
21 (4) Authorizing all disbursements from the fund.
22 (5) Hiring any staff necessary for the implementation
23 or upgrade of the system.
24 (c) All moneys received by a board pursuant to a surcharge
25 imposed under Section 15.3 shall be deposited into a separate
26 interest-bearing Emergency Telephone System Fund account. The

treasurer of the municipality or county that has established the board or, in the case of a joint board, any municipal or county treasurer designated in the intergovernmental agreement, shall be custodian of the fund. All interest accruing on the fund shall remain in the fund. No expenditures may be made from such fund except upon the direction of the board by resolution passed by a majority of all members of the board. Expenditures may be made only to pay for the costs associated with the following:

(1) The design of the Emergency Telephone System.

(2) The coding of an initial Master Street Address Guide data base, and update and maintenance thereof.

(3) The repayment of any moneys advanced for the implementation of the system.

(4) The charges for Automatic Number Identification and Automatic Location Identification equipment, a computer aided dispatch system that records, maintains, and integrates information, mobile data transmitters equipped with automatic vehicle locators, and maintenance, replacement and update thereof to increase operational efficiency and improve the provision of emergency services.

(5) The non-recurring charges related to installation of the Emergency Telephone System and the ongoing network charges.

(6) The acquisition and installation, or the

reimbursement of costs therefor to other governmental bodies that have incurred those costs, of road or street signs that are essential to the implementation of the emergency telephone system and that are not duplicative of signs that are the responsibility of the jurisdiction charged with maintaining road and street signs.

(7) Other products and services necessary for the implementation, upgrade, and maintenance of the system and any other purpose related to the operation of the system, including costs attributable directly to the construction, leasing, or maintenance of any buildings or facilities or costs of personnel attributable directly to the operation of the system. Costs attributable directly to the operation of an emergency telephone system do not include the costs of public safety agency personnel who are and equipment that is dispatched in response to an emergency call.

(8) In the case of a municipality that imposes a surcharge under subsection (h) of Section 15.3, moneys may also be used for any anti-terrorism or emergency preparedness measures, including, but not limited to, preparedness planning, providing local matching funds for federal or State grants, personnel training, and specialized equipment, including surveillance cameras as needed to deal with natural and terrorist-inspired emergency situations or events.

<u>(9) Costs associated with emergency warning systems.</u>

Moneys in the fund may also be transferred to a participating fire protection district to reimburse volunteer firefighters who man remote telephone switching facilities when dedicated 9-1-1 lines are down.

(d) The board shall complete the data base before implementation of the 9-1-1 system. The error ratio of the data base shall not at any time exceed 1% of the total data base.

(Source: P.A. 95-698, eff. 1-1-08.)

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

Bill Status of HB4725 *95th General Assembly*

Short Description: EMERG TEL SYSTEMS-CNTY BOARD

House Sponsors
Rep. Jack McGuire - Thomas Holbrook

Last Action

Date	Chamber	Action
3/13/2008	House	Placed on Calendar 2nd Reading - Short Debate

Statutes Amended In Order of Appearance

50 ILCS 750/15.4 from Ch. 134, par. 45.4

Synopsis As Introduced
Amends the Emergency Telephone System Act. Provides that county board members may serve on an Emergency Telephone System Board.

Actions

Date	Chamber	Action
1/31/2008	House	Filed with the Clerk by Rep. Jack McGuire
2/1/2008	**House**	**First Reading**
2/1/2008	House	Referred to Rules Committee
3/3/2008	House	Assigned to Local Government Committee
3/12/2008	House	Added Chief Co-Sponsor Rep. Thomas Holbrook
3/12/2008	House	Do Pass / Short Debate Local Government Committee; 010-000-000
3/13/2008	**House**	**Placed on Calendar 2nd Reading - Short Debate**

HB4725

95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4725

by Rep. Jack McGuire

SYNOPSIS AS INTRODUCED:

50 ILCS 750/15.4 from Ch. 134, par. 45.4

Amends the Emergency Telephone System Act. Provides that county board members may serve on an Emergency Telephone System Board.

LRB095 17912 HLH 43992 b

A BILL FOR

AN ACT concerning local government.

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

Section 5. The Emergency Telephone System Act is amended by changing Section 15.4 as follows:

(50 ILCS 750/15.4) (from Ch. 134, par. 45.4)

Sec. 15.4. Emergency Telephone System Board; powers.

(a) The corporate authorities of any county or municipality that imposes a surcharge under Section 15.3 shall establish an Emergency Telephone System Board. The corporate authorities shall provide for the manner of appointment and the number of members of the Board, provided that the board shall consist of not fewer than 5 members, one of whom must be a public member who is a resident of the local exchange service territory included in the 9-1-1 coverage area, one of whom (in counties with a population less than 100,000) must be a member of the county board, and at least 3 of whom shall be representative of the 9-1-1 public safety agencies, including but not limited to police departments, fire departments, emergency medical services providers, and emergency services and disaster agencies, and appointed on the basis of their ability or experience. Elected officials<u>, including members of a county board,</u> are also eligible to serve on the board. Members of the

board shall serve without compensation but shall be reimbursed for their actual and necessary expenses. Any 2 or more municipalities, counties, or combination thereof, that impose a surcharge under Section 15.3 may, instead of establishing individual boards, establish by intergovernmental agreement a Joint Emergency Telephone System Board pursuant to this Section. The manner of appointment of such a joint board shall be prescribed in the agreement.

(b) The powers and duties of the board shall be defined by ordinance of the municipality or county, or by intergovernmental agreement in the case of a joint board. The powers and duties shall include, but need not be limited to the following:

(1) Planning a 9-1-1 system.

(2) Coordinating and supervising the implementation, upgrading, or maintenance of the system, including the establishment of equipment specifications and coding systems.

(3) Receiving moneys from the surcharge imposed under Section 15.3, and from any other source, for deposit into the Emergency Telephone System Fund.

(4) Authorizing all disbursements from the fund.

(5) Hiring any staff necessary for the implementation or upgrade of the system.

(c) All moneys received by a board pursuant to a surcharge imposed under Section 15.3 shall be deposited into a separate

interest-bearing Emergency Telephone System Fund account. The treasurer of the municipality or county that has established the board or, in the case of a joint board, any municipal or county treasurer designated in the intergovernmental agreement, shall be custodian of the fund. All interest accruing on the fund shall remain in the fund. No expenditures may be made from such fund except upon the direction of the board by resolution passed by a majority of all members of the board. Expenditures may be made only to pay for the costs associated with the following:

(1) The design of the Emergency Telephone System.

(2) The coding of an initial Master Street Address Guide data base, and update and maintenance thereof.

(3) The repayment of any moneys advanced for the implementation of the system.

(4) The charges for Automatic Number Identification and Automatic Location Identification equipment, a computer aided dispatch system that records, maintains, and integrates information, mobile data transmitters equipped with automatic vehicle locators, and maintenance, replacement and update thereof to increase operational efficiency and improve the provision of emergency services.

(5) The non-recurring charges related to installation of the Emergency Telephone System and the ongoing network charges.

(6) The acquisition and installation, or the reimbursement of costs therefor to other governmental bodies that have incurred those costs, of road or street signs that are essential to the implementation of the emergency telephone system and that are not duplicative of signs that are the responsibility of the jurisdiction charged with maintaining road and street signs.

(7) Other products and services necessary for the implementation, upgrade, and maintenance of the system and any other purpose related to the operation of the system, including costs attributable directly to the construction, leasing, or maintenance of any buildings or facilities or costs of personnel attributable directly to the operation of the system. Costs attributable directly to the operation of an emergency telephone system do not include the costs of public safety agency personnel who are and equipment that is dispatched in response to an emergency call.

(8) In the case of a municipality that imposes a surcharge under subsection (h) of Section 15.3, moneys may also be used for any anti-terrorism or emergency preparedness measures, including, but not limited to, preparedness planning, providing local matching funds for federal or State grants, personnel training, and specialized equipment, including surveillance cameras as needed to deal with natural and terrorist-inspired emergency situations or events.

Moneys in the fund may also be transferred to a participating fire protection district to reimburse volunteer firefighters who man remote telephone switching facilities when dedicated 9-1-1 lines are down.

(d) The board shall complete the data base before implementation of the 9-1-1 system. The error ratio of the data base shall not at any time exceed 1% of the total data base.

(Source: P.A. 95-698, eff. 1-1-08.)

Bill Status of SB2031 *95th General Assembly*

Short Description: EMERG TEL SYS BOARD-CNTY BOARD

Senate Sponsors
Sen. William R. Haine

Last Action

Date	Chamber	Action
3/13/2008	Senate	Placed on Calendar Order of 3rd Reading April 1, 2008

Statutes Amended In Order of Appearance

50 ILCS 750/15.4 from Ch. 134, par. 45.4

Synopsis As Introduced

Amends the Emergency Telephone System Act. Provides that, in counties with a population of more than 100,000 but less than 2,000,000, a member of the county board may serve on the Emergency Telephone System Board.

Actions

Date	Chamber	Action
2/7/2008	Senate	Filed with Secretary by Sen. William R. Haine
2/7/2008	**Senate**	**First Reading**
2/7/2008	Senate	Referred to Rules
3/5/2008	Senate	Assigned to Local Government
3/12/2008	Senate	Do Pass Local Government; 009-000-000
3/12/2008	Senate	Placed on Calendar Order of 2nd Reading March 13, 2008
3/13/2008	**Senate**	**Second Reading**
3/13/2008	**Senate**	**Placed on Calendar Order of 3rd Reading April 1, 2008**

SB2031

95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2031

Introduced 2/7/2008, by Sen. William R. Haine

SYNOPSIS AS INTRODUCED:

50 ILCS 750/15.4 from Ch. 134, par. 45.4

Amends the Emergency Telephone System Act. Provides that, in counties with a population of more than 100,000 but less than 2,000,000, a member of the county board may serve on the Emergency Telephone System Board.

LRB095 18885 HLH 45029 b

A BILL FOR

Bill Status of HB4956 *95th General Assembly*

Short Description: CT CLK FEE-CHILDREN WAITING RM

House Sponsors
Rep. Elaine Nekritz

Last Action

Date	Chamber	Action
3/13/2008	House	Placed on Calendar Order of 3rd Reading - Short Debate

Statutes Amended In Order of Appearance
705 ILCS 105/27.7

Synopsis As Introduced
Amends the Clerks of Courts Act. Provides that a clerk may charge a children's waiting room fee of $10 (instead of $5). Effective immediately.

Actions

Date	Chamber	Action
2/13/2008	House	Filed with the Clerk by Rep. Elaine Nekritz
2/13/2008	**House**	**First Reading**
2/13/2008	House	Referred to Rules Committee
2/20/2008	House	Assigned to Local Government Committee
2/27/2008	House	Do Pass / Short Debate Local Government Committee; 006-004-000
2/28/2008	House	Placed on Calendar 2nd Reading - Short Debate
3/13/2008	**House**	**Second Reading - Short Debate**
3/13/2008	**House**	**Placed on Calendar Order of 3rd Reading - Short Debate**

HB4956

95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4956

by Rep. Elaine Nekritz

SYNOPSIS AS INTRODUCED:

705 ILCS 105/27.7

Amends the Clerks of Courts Act. Provides that a clerk may charge a children's waiting room fee of $10 (instead of $5). Effective immediately.

LRB095 16009 AJO 42026 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

AN ACT concerning courts.

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

Section 5. The Clerks of Courts Act is amended by changing Section 27.7 as follows:

(705 ILCS 105/27.7)

Sec. 27.7. Children's waiting room. The expense of establishing and maintaining a children's waiting room for children whose parents or guardians are attending a court hearing as a litigant, witness, or for other court purposes as determined by the court may be borne by the county. To defray that expense in any county having established a children's waiting room or that elects to establish such a system, the county board may require the clerk of the circuit court in the county to charge and collect a children's waiting room fee of not more than $10 ~~$5~~. The fee shall be paid at the time of filing the first pleading, paper, or other appearance filed by each party in all civil cases. No additional fee shall be required if more than one party is presented in a single pleading, paper, or other appearance. The fee shall be collected in the manner in which all other fees or costs are collected.

Each clerk shall commence the charges and collection upon

1 receipt of written notice from the chairman of the county board
2 together with a certified copy of the board's resolution. The
3 clerk shall file the resolution of record in his or her office.
4 The fees shall be in addition to all other fees and charges
5 of the clerks, shall be assessable as costs, and may be waived
6 only if the judge specifically provides for the waiver of the
7 children's waiting room fee. The fees shall be remitted monthly
8 by the clerk to the county treasurer, to be retained by the
9 treasurer in a special fund designated as the children's
10 waiting room fund. The fund shall be audited by the county
11 auditor, and the county board shall make expenditure from the
12 fund in payment of any cost related to the establishment and
13 maintenance of the children's waiting room, including
14 personnel, heat, light, telephone, security, rental of space,
15 or any other item in connection with the operation of a
16 children's waiting room.
17 The fees shall not be charged in any matter coming to the
18 clerk on a change of venue, nor in any proceeding to review the
19 decision of any administrative officer, agency, or body.
20 (Source: P.A. 89-717, eff. 1-1-98; 90-117, eff. 1-1-98; 90-655,
21 eff. 7-30-98.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.

Bill Status of SB2321 *95th General Assembly*

Short Description: CNTY CD-LAW LIBRARY

Senate Sponsors
Sen. Donne E. Trotter - Mattie Hunter

Last Action

Date	Chamber	Action
2/28/2008	Senate	Placed on Calendar Order of 2nd Reading March 5, 2008

Statutes Amended In Order of Appearance

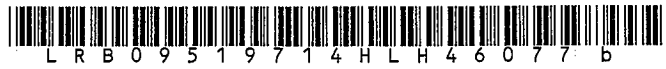
55 ILCS 5/5-39001 from Ch. 34, par. 5-39001

Synopsis As Introduced
Amends the Counties Code. Provides that the county board may authorize a county law library fee of not more than (i) $18 in 2008, (ii) $19 in 2009, and (iii) $21 in 2010 and thereafter (now, $13). Effective immediately.

Actions

Date	Chamber	Action
2/14/2008	Senate	Filed with Secretary by Sen. Donne E. Trotter
2/14/2008	**Senate**	**First Reading**
2/14/2008	Senate	Referred to Rules
2/20/2008	Senate	Assigned to Local Government
2/28/2008	Senate	Do Pass Local Government; 008-000-000
2/28/2008	**Senate**	**Placed on Calendar Order of 2nd Reading March 5, 2008**
3/6/2008	Senate	Added as Chief Co-Sponsor Sen. Mattie Hunter

SB2321



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2321

Introduced 2/14/2008, by Sen. Donne E. Trotter

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-39001 from Ch. 34, par. 5-39001

Amends the Counties Code. Provides that the county board may authorize a county law library fee of not more than (i) $18 in 2008, (ii) $19 in 2009, and (iii) $21 in 2010 and thereafter (now, $13). Effective immediately.

LRB095 19714 HLH 46077 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Counties Code is amended by changing Section
5 5-39001 as follows:

6 (55 ILCS 5/5-39001) (from Ch. 34, par. 5-39001)
7 Sec. 5-39001. Establishment and use; fee. The county board
8 of any county may establish and maintain a county law library,
9 to be located in any county building or privately or publicly
10 owned building at the county seat of government. The term
11 "county building" includes premises leased by the county from a
12 public building commission created under the Public Building
13 Commission Act. After August 2, 1976, the county board of any
14 county may establish and maintain a county law library at the
15 county seat of government and, in addition, branch law
16 libraries in other locations within that county as the county
17 board deems necessary.
18 The facilities of those libraries shall be freely available
19 to all licensed Illinois attorneys, judges, other public
20 officers of the county, and all members of the public, whenever
21 the court house is open.
22 The expense of establishing and maintaining those
23 libraries shall be borne by the county. To defray that expense,

in any county having established a county law library or libraries, the clerk of all trial courts located at the county seat of government shall charge and collect a county law library fee of $2, and the county board may authorize a county law library fee of not to exceed (i) $18 in 2008, (ii) $19 in 2009, and (iii) $21 in 2010 and thereafter ~~$13~~, to be charged and collected by the clerks of all trial courts located in the county. The fee shall be paid at the time of filing the first pleading, paper, or other appearance filed by each party in all civil cases, but no additional fee shall be required if more than one party is represented in a single pleading, paper, or other appearance.

Each clerk shall commence those charges and collections upon receipt of written notice from the chairman of the county board that the board has acted under this Division to establish and maintain a law library.

The fees shall be in addition to all other fees and charges of the clerks, assessable as costs, remitted by the clerks monthly to the county treasurer, and retained by the county treasurer in a special fund designated as the County Law Library Fund. Except as otherwise provided in this paragraph, disbursements from the fund shall be by the county treasurer, on order of a majority of the resident circuit judges of the circuit court of the county. In any county with more than 2,000,000 inhabitants, the county board shall order disbursements from the fund and the presiding officer of the

county board, with the advice and consent of the county board, may appoint a library committee of not less than 9 members, who, by majority vote, may recommend to the county board as to disbursements of the fund and the operation of the library. In single county circuits with 2,000,000 or fewer inhabitants, disbursements from the County Law Library Fund shall be made by the county treasurer on the order of the chief judge of the circuit court of the county. In those single county circuits, the number of personnel necessary to operate and maintain the county law library shall be set by and those personnel shall be appointed by the chief judge. The county law library personnel shall serve at the pleasure of the appointing authority. The salaries of those personnel shall be fixed by the county board of the county. Orders shall be pre-audited, funds shall be audited by the county auditor, and a report of the orders and funds shall be rendered to the county board and to the judges.

Fees shall not be charged in any criminal or quasi-criminal case, in any matter coming to the clerk on change of venue, or in any proceeding to review the decision of any administrative officer, agency, or body.

(Source: P.A. 93-748, eff. 7-15-04.)

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

Bill Status of HB4599 *95th General Assembly*

Short Description: PROP TX-ASSESSMENT NOTICE

House Sponsors
Rep. William B. Black - Naomi D. Jakobsson

Last Action

Date	Chamber	Action
3/14/2008	House	Rule 19(a) / Re-referred to Rules Committee

Statutes Amended In Order of Appearance

35 ILCS 200/12-10
35 ILCS 200/12-15
35 ILCS 200/12-25
35 ILCS 200/12-33 new

Synopsis As Introduced
Amends the Property Tax Code. Provides that in addition to or instead of publishing any property tax assessment in a newspaper, a county of less than 3,000,000 may publish the assessment on its Internet website. Sets forth requirements for the Internet publication.

Actions

Date	Chamber	Action
1/24/2008	House	Filed with the Clerk by Rep. William B. Black
1/25/2008	**House**	**First Reading**
1/25/2008	House	Referred to Rules Committee
2/20/2008	House	Assigned to Revenue Committee
3/4/2008	House	Added Chief Co-Sponsor Rep. Naomi D. Jakobsson
3/14/2008	**House**	**Rule 19(a) / Re-referred to Rules Committee**

Bill Status of SB1965 *95th General Assembly*

Short Description: COUNTY JAIL-MEDICAL EXPENSES

Senate Sponsors
Sen. William R. Haine

Last Action

Date	Chamber	Action
3/12/2008	Senate	Placed on Calendar Order of 2nd Reading March 13, 2008

Statutes Amended In Order of Appearance

730 ILCS 125/17 from Ch. 75, par. 117

Synopsis As Introduced

Amends the County Jail Act. Provides that if a person confined in a county jail is in need of medical services and is determined eligible for medical assistance under the Illinois Public Aid Code at the time the person is detained (rather than has already been determined eligible for medical assistance under the Illinois Public Aid Code at the time the person is initially detained pending trial), the cost of such services, to the extent such cost exceeds $500, shall be reimbursed by the Department of Healthcare and Family Services under that Code. Provides that "medical expenses" include medical and hospital services but do not include expenses incurred for medical care or treatment provided to a person on account of a self-inflicted injury incurred prior to or in the course of an arrest. Provides that when medical services are required by any person held in custody, the county, private hospital, physician, or any public agency which provides such services shall be entitled to obtain reimbursement from the county. Eliminates the ability of such entities to obtain reimbursement from the Arrestee's Medical Costs Fund. Changes the name of the Arrestee's Medical Costs Fund to the County Jail Medical Costs Fund. Provides that in such cases, the county shall be entitled to obtain reimbursement from the County Jail Medical Costs Fund to the extent moneys are available from the Fund. Provides that moneys in the Fund shall be used solely for reimbursement to the county of costs for medical expenses and administration of the Fund. Effective immediately.

Actions

Date	Chamber	Action
2/7/2008	Senate	Filed with Secretary by Sen. William R. Haine
2/7/2008	**Senate**	**First Reading**
2/7/2008	Senate	Referred to Rules
3/5/2008	Senate	Assigned to Public Health
3/12/2008	Senate	Do Pass Public Health; 009-002-000
3/12/2008	**Senate**	**Placed on Calendar Order of 2nd Reading March 13, 2008**

Bill Status of HB1518 *95th General Assembly*

Short Description: JUV CT-DELINQUENCY AGE

House Sponsors
Rep. Annazette Collins - Monique D. Davis - Eddie Washington

Last Action

Date	Chamber	Action
2/6/2008	House	Held on Calendar Order of Second Reading - Short Debate

Statutes Amended In Order of Appearance

705 ILCS 405/1-7	from Ch. 37, par. 801-7
705 ILCS 405/1-8	from Ch. 37, par. 801-8
705 ILCS 405/1-9	from Ch. 37, par. 801-9
705 ILCS 405/2-10	from Ch. 37, par. 802-10
705 ILCS 405/3-12	from Ch. 37, par. 803-12
705 ILCS 405/4-9	from Ch. 37, par. 804-9
705 ILCS 405/5-105	
705 ILCS 405/5-120	
705 ILCS 405/5-130	
705 ILCS 405/5-401.5	
705 ILCS 405/5-410	
705 ILCS 405/5-901	
705 ILCS 405/5-905	
705 ILCS 405/5-915	
730 ILCS 5/3-2-5	from Ch. 38, par. 1003-2-5
730 ILCS 5/3-10-7	from Ch. 38, par. 1003-10-7
730 ILCS 5/3-19-5	
730 ILCS 5/5-5-3	from Ch. 38, par. 1005-5-3
730 ILCS 5/5-5-3.2	from Ch. 38, par. 1005-5-3.2
730 ILCS 5/5-6-3	from Ch. 38, par. 1005-6-3
730 ILCS 5/5-6-3.1	from Ch. 38, par. 1005-6-3.1
730 ILCS 5/5-7-1	from Ch. 38, par. 1005-7-1
730 ILCS 5/5-8-1.1	from Ch. 38, par. 1005-8-1.1
730 ILCS 5/5-8-1.2	
730 ILCS 5/5-8-6	from Ch. 38, par. 1005-8-6
730 ILCS 150/2	from Ch. 38, par. 222
730 ILCS 150/3	from Ch. 38, par. 223
730 ILCS 154/5	
730 ILCS 154/10	

Synopsis As Introduced
Amends the Juvenile Court Act of 1987, the Unified Code of Corrections, the Sex Offender Registration Act, and the Child Murderer and Violent Offender Against Youth Registration Act. Provides that persons under 18 years of age (rather than under 17 years of age) who commit offenses are subject to the proceedings under the Act for

delinquent minors.

Correctional Note (Department of Corrections)

Corrections Population Impact: 257 Youths/399 Inmates (Reduction); Fiscal Impact: $104,964,100

Fiscal Note (Admin Office of the Illinois Courts)

HB 1518, expands the jurisdiction of the Juvenile Court, which would increase the demand for judicial resources for that function. The specific fiscal impact cannot be determined at this time.

State Mandates Fiscal Note (Dept. of Commerce & Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, HB 1518 does not create a State mandate under the State Mandates Act.

Actions

Date	Chamber	Action
2/21/2007	House	Filed with the Clerk by Rep. Annazette Collins
2/22/2007	**House**	**First Reading**
2/22/2007	House	Referred to Rules Committee
2/27/2007	House	Assigned to Juvenile Justice Reform Committee
3/22/2007	House	Do Pass / Standard Debate Juvenile Justice Reform Committee; 006-005-000
3/22/2007	House	Placed on Calendar 2nd Reading - Standard Debate
3/22/2007	House	Added Chief Co-Sponsor Rep. Monique D. Davis
3/22/2007	House	Added Chief Co-Sponsor Rep. Eddie Washington
3/23/2007	House	Correctional Note Filed
3/27/2007	House	Fiscal Note Requested by Rep. William B. Black
3/27/2007	House	Fiscal Note Filed
3/27/2007	House	State Mandates Fiscal Note Requested by Rep. Rich Brauer
4/17/2007	House	State Mandates Fiscal Note Filed
4/27/2007	House	Third Reading/Final Action Deadline Extended-9(b) May 3, 2007
5/3/2007	House	Third Reading/Final Action Deadline Extended-9(b) May 10, 2007
5/10/2007	House	Third Reading/Final Action Deadline Extended-9(b) May 18, 2007
5/18/2007	House	Final Action Deadline Extended-9(b) May 25, 2007
5/25/2007	House	Rule 19(a) / Re-referred to Rules Committee
2/6/2008	House	Approved for Consideration Rules Committee; 003-000-000
2/6/2008	House	Placed on Calendar 2nd Reading - Short Debate
2/6/2008	**House**	**Second Reading - Short Debate**
2/6/2008	**House**	**Held on Calendar Order of Second Reading - Short Debate**

Bill Status of HB4164 *95th General Assembly*

Short Description: LOCAL GOV-SPECIAL USE

House Sponsors
Rep. William B. Black

Last Action

Date	Chamber	Action
3/13/2008	House	Placed on Calendar 2nd Reading - Short Debate

Statutes Amended In Order of Appearance

55 ILCS 5/5-12009.5

65 ILCS 5/11-13-1.1 from Ch. 24, par. 11-13-1.1

Synopsis As Introduced
Amends the Counties Code and the Illinois Municipal Code. Provides that a special use permit may not be granted for a term of more than 5 years. Provides that special use permits granted before the effective date of the amendatory Act expire 5 years after that effective date. Denies home rule powers. Effective immediately.

Actions

Date	Chamber	Action
11/2/2007	House	Filed with the Clerk by Rep. William B. Black
11/2/2007	**House**	**First Reading**
11/2/2007	House	Referred to Rules Committee
3/5/2008	House	Assigned to Local Government Committee
3/12/2008	House	Do Pass / Short Debate Local Government Committee; 010-000-000
3/13/2008	**House**	**Placed on Calendar 2nd Reading - Short Debate**

HB4164

95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4164

Introduced 11/2/2007, by Rep. William B. Black

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-12009.5
65 ILCS 5/11-13-1.1 from Ch. 24, par. 11-13-1.1

Amends the Counties Code and the Illinois Municipal Code. Provides that a special use permit may not be granted for a term of more than 5 years. Provides that special use permits granted before the effective date of the amendatory Act expire 5 years after that effective date. Denies home rule powers. Effective immediately.

LRB095 14130 HLH 39988 b

FISCAL NOTE ACT MAY APPLY

HOME RULE NOTE ACT MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Counties Code is amended by changing Section
5 5-12009.5 as follows:

6 (55 ILCS 5/5-12009.5)
7 Sec. 5-12009.5. Special uses.
8 (a) The county board may, by an ordinance passed under this
9 Division, provide for the classification of special uses. Those
10 uses may include, but are not limited to, public and
11 quasi-public uses affecting the public interest; uses that have
12 a unique, special, or unusual impact upon the use or enjoyment
13 of neighboring property; and uses that affect planned
14 development. A use may be permitted in one or more zoning
15 districts and may be a special use in one or more other zoning
16 districts.
17 (b) A special use may be granted only after a public
18 hearing conducted by the board of appeals. There must be at
19 least 15 days' notice before the hearing. The notice must
20 include the time, place, and date of the hearing and must be
21 published in a newspaper published in the township or road
22 district where the property is located. If there is no
23 newspaper published in the township or road district where the

property is located, the notice must be published in a newspaper of general circulation in the county. The notice must also contain (i) the particular location of the property for which the special use is requested by legal description and by street address, or if there is no street address, by locating the property with reference to any well-known landmark, highway, road, thoroughfare, or intersection; (ii) whether the petitioner or applicant is acting for himself or herself or as an agent, alter ego, or representative of a principal and the name and address of the principal; (iii) whether the petitioner or applicant is a corporation, and if so, the correct names and addresses of all officers and directors of the corporation and of all stockholders or shareholders owning any interest in excess of 20% of all of the outstanding stock or shares of the corporation; (iv) whether the petitioner or applicant, or his or her principal, is a business or entity doing business under an assumed name, and if so, the name and residence of all actual owners of the business or entity; (v) whether the petitioner or applicant, or his or her principal, is a partnership, joint venture, syndicate, or an unincorporated voluntary association, and if so, the names and addresses of all partners or members of the partnership, joint venture, syndicate, or unincorporated voluntary association; and (vi) a brief statement of the proposed special use.

In addition to any other notice required by this Section, the board of appeals must give at least 15 days' notice before

the hearing to (i) any municipality whose boundaries are within 1-1/2 miles of any part of the property proposed as a special use and (ii) the owner or owners of any land adjacent to or immediately across any street, alley, or public right-of-way from the property proposed as a special use.

The petitioner or applicant must pay the cost of the publication of the notice required by this Section.

(c) A special use may be granted only upon evidence that the special use meets the standards established for that classification in the ordinance. The special use may be subject to conditions reasonably necessary to meet those standards.

(d) The board of appeals shall report to the county board a finding of fact and a recommendation as to whether the county board should deny, grant, or grant subject to conditions the special use. The county board may, by ordinance and without a further public hearing, adopt any proposed special use on receiving the report or it may refer the proposal back to the board of appeals for further consideration.

(e) The county board may, by ordinance, delegate to the board of appeals the authority to grant special uses subject to the restrictions and requirements of this Section. The ordinance may delegate the authority to grant all special uses or to grant only certain classes of special uses while reserving to the county board the authority to grant other classes of special uses. If the county board enacts an ordinance delegating its authority, the board of appeals must,

after conducting the required public hearing, issue a finding of fact and final decision in writing on the proposed special use.

(f) On and after the effective date of this amendatory Act of the 95th General Assembly, a special use permit may not be granted for a term of more than 5 years. Special use permits granted before the effective date of this amendatory Act of the 95th General Assembly expire 5 years after that effective date. A subsequent special use permit may be granted as otherwise provided under this Section. Establishing time limits on the terms of special use permits is an exclusive power and function of the State. This subsection is a denial and limitation under subsection (h) of Section 6 of Article VII of the Illinois Constitution on the exercise by home rule units of powers and functions exercised by the State.

(Source: P.A. 90-175, eff. 1-1-98; 91-334, eff. 7-29-99.)

Section 10. The Illinois Municipal Code is amended by changing Section 11-13-1.1 as follows:

(65 ILCS 5/11-13-1.1) (from Ch. 24, par. 11-13-1.1)

Sec. 11-13-1.1.

(a) The corporate authorities of any municipality may in its ordinances passed under the authority of this Division 13 provide for the classification of special uses. Such uses may include but are not limited to public and quasi-public uses

1 affected with the public interest, uses which may have a
2 unique, special or unusual impact upon the use or enjoyment of
3 neighboring property, and planned developments. A use may be a
4 permitted use in one or more zoning districts, and a special
5 use in one or more other zoning districts. A special use shall
6 be permitted only after a public hearing before some commission
7 or committee designated by the corporate authorities, with
8 prior notice thereof given in the manner as provided in Section
9 11-13-6 and 11-13-7. A special use shall be permitted only upon
10 evidence that such use meets standards established for such
11 classification in the ordinances, and the granting of
12 permission therefor may be subject to conditions reasonably
13 necessary to meet such standards. In addition, any proposed
14 special use which fails to receive the approval of the
15 commission or committee designated by the corporate
16 authorities to hold the public hearing shall not be approved by
17 the corporate authorities except by a favorable majority vote
18 of all aldermen, commissioners or trustees of the municipality
19 then holding office; however, the corporate authorities may by
20 ordinance increase the vote requirement to two-thirds of all
21 aldermen, commissioners or trustees of the municipality then
22 holding office.
23 (b) On and after the effective date of this amendatory Act
24 of the 95th General Assembly, a special use permit may not be
25 granted for a term of more than 5 years. Special use permits
26 granted before the effective date of this amendatory Act of the

95th General Assembly expire 5 years after that effective date. A subsequent special use permit may be granted as otherwise provided under this Section. Establishing time limits on the terms of special use permits is an exclusive power and function of the State. This subsection is a denial and limitation under subsection (h) of Section 6 of Article VII of the Illinois Constitution on the exercise by home rule units of powers and functions exercised by the State.

(Source: P.A. 86-330.)

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

Kolkmeier Consulting

Phone: (312) 339-6540
Fax: (217) 793-7787
Email: KolkmeierConsult@aol.com

Legislative Update Memo

03/17/08

Metro Counties

Metro Members,

We have now passed the first chamber committee deadline. Bills that failed to be discharged from the Rules Committee or approved by a substantive committee are probably dead for the session. However, as usual there are still hundreds of bills that we continue to track, analyze and work. This memorandum is quite long, but most bills are included simply because we oppose them as an unfunded mandate or a home rule pre-emption. Please focus your attention on the following bills:

METRO OPPOSES
House Bill 158, House Bill 5343 and Senate Bill 2275-Raising the age from 17 to 18 for juveniles in the county court system.
House Bill 5213-Mandated liability coverage for long term care facilities including county nursing homes.
House Bill 4164-Limits special use permits issued by local governments.
Senate Bill 2250-Adds county coroners to SLEP pension system.
Senate Bill 1958-Increases IMRF separation benefit.
Senate Bill 1959-Increases IMRF supplemental benefit.
Senate Bill 1960-Lowers IMRF vesting from 8 to 5 years.

METRO SUPPORTS
House Bill 4294-Allows some counties to impose motor fuel tax by referendum.
Senate Bill 2181-Allows counties to impose local sales tax for probation services without referendum.
Senate Bill 2304-Changes ballot question for local senior services property tax to broader human services tax and use.
Senate Bill 1965-Requires the State to pay Medicaid health care costs for jail inmates above $500.
Senate Bill 2052-Allows counties to impose taxes for flood control purposes.
Senate Bill 2321-Allows counties to increase county law library civil court filing fees.
House Bill 4956-Allows counties to increase civil court filing fee for children's waiting rooms.
House Bill 4725 and Senate Bill 2031-Allows county board members to serve on 911 board.
House Bill 5572-Adds notice for filing of mechanics liens.
House Bill 4766-Allows counties to lease space on telecommunications towers.
Senate Bill 2005-Allows counties to more easily enforce prohibitions on inoperable vehicles.
Senate Bill 2014-Further clarifies process for appealing local government land use decisions.

Resolution

WHEREAS, the Right of the People to Keep and Bear Arms is guaranteed as an Individual Right under the Second Amendment to the United States Constitution and under the Constitution of the State of Illinois, and;

WHEREAS, the Right of the People to Keep and Bear Arms for defense of Life, Liberty, and Property is regarded as an Inalienable Right by the People of McLean County, Illinois, and:

WHEREAS, the People of McLean County, Illinois, derive economic benefit from all safe forms of firearms recreation, hunting, and shooting conducted within McLean County using all types of firearms allowable under the United States Constitution and the Constitution of the State of Illinois, and;

WHEREAS, McLean County Board, being elected to represent the People of McLean County and being duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Illinois, and;

WHEREAS, the Illinois House of Representatives and the Illinois Senate, being elected by the People of the State of Illinois and being duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Illinois, and;

WHEREAS, proposed legislation under consideration by the Illinois State Legislature would infringe the Right to Keep and Bear Arms and would ban the possession and use of firearms now employed by individual citizens of McLean County, Illinois, for defense of Life, Liberty and Property and would ban the possession and use of firearms now employed for safe forms of firearms recreation, hunting and shooting conducted within McLean County, Illinois;

NOW, THEREFORE, IT BE AND IS HEREBY RESOLVED that the People of McLean County, Illinois, do hereby oppose the enactment of any legislation that would infringe upon the Right of the People to keep and bear arms and consider such laws to be unconstitutional and beyond lawful Legislative Authority!

_____

, Chairman

RESOLUTION of the McLEAN COUNTY BOARD
SUPPORTING FULL FEDERAL FUNDING
FOR VETERAN'S HEALTH CARE

WHEREAS, George Washington declared, "The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportionate to how they perceive the Veterans of the earlier wars were treated and appreciated by their country"; and,

WHEREAS, when the United States military has been called upon to send forces into harms way, our brave young men and women in uniform have dutifully answered the call to service; and,

WHEREAS, many of those who have served and are currently serving our nation are residents of McLean County, Illinois; and,

WHEREAS, it is unconscionable for us, as a nation, to ask the Untied States uniformed military to be willing to make the ultimate sacrifice for freedom, and then allow them to receive substandard medical care upon their return home; and,

WHEREAS, ensuring all honorably discharged United States Veterans have access to the very best medical care available is a small price to pay for the service these men and women give to our nation and the rest of the world; and,

WHEREAS, today it is more important than ever to ensure that our Veterans have access to excellent health care; and,

WHEREAS, the members of the McLean County Board, as representatives of the citizens of our County, support full funding for the Health Care of Veterans as a Mandatory Budgetary item so that adequate funding for the Health Care of our Veterans can be assured; now, therefore,

BE IT RESOLVED by the McLean County Board, now meeting in regular session, as follows:

(1) The McLean County Board hereby respectfully requests that the Honorable United States Senators Richard Durbin and Barack Obama, and United States Congressmen Timothy Johnson and Jerry Weller draft, sponsor, campaign for, and support such legislation as is necessary for the Federal Government to adopt full funding for Veteran's Health Care as a mandatory budget item.

(2) This Resolution shall be in full force and effect upon its passage and approval, and shall remain in full force and effect until a subsequent lawful action by the Federal Government results in the enactment of the aforementioned legislation, or until a subsequent lawful action by the McLean County Board to rescind this Resolution is approved.

(3) The McLean County Board hereby requests that the County Clerk forward a certified copy of this Resolution to the Veterans Assistance Officer and the members of the McLean County Veterans Assistance Commission.

ADOPTED by the McLean County Board on this the 20th day of November, 2007.

ATTEST:

Peggy Ann Milton, Clerk of the County Board
McLean County, Illinois

APPROVED:

Matt Sorensen, Chairman
McLean County Board

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Minutes of the Executive Committee Meeting (excerpted)

Tuesday, November 13, 2007

Chairman Sorensen presented a request for approval of a Resolution of the McLean County Board Supporting full Federal Funding for Veteran's Health Care – Veteran's Assistance Commission. He introduced Mr. Jerry Vogler, Director, Veteran's Assistance Commission.

Mr. Zeunik reminded the Committee that, last month, a request was submitted for consideration by Lt. Governor Pat Quinn asking the County Board to consider placing a Referendum on the February, 2008 ballot. At that time, the Executive Committee directed that this information be forwarded to Mr. Vogler for his comment and recommendation. Mr. Zeunik advised that Mr. Vogler forwarded his comments and recommendation, which is contained in the Committee packet. He also noted that Mr. Vogler included a Resolution that is also contained in the Packet.

Mr. Vogler thanked the Committee for the opportunity to speak about the Committee's concerns with the VA Mandatory Funding Advisory Referendum as proposed by Lt. Governor Pat Quinn. He noted that not every County extended that courtesy to their VAC. Mr. Vogler stated that Lt. Governor Quinn's proposal was a non-binding referendum to be placed on the ballot in February for all Counties in the State of Illinois. Mr. Vogler indicated that some Counties have passed it and some have not.

Mr. Vogler indicated that, currently, the VA funding for health care for Veterans is discretionary. He added that the effort to make VA spending mandatory has been a battle that has been fought for many years by the Veterans organizations representing the approximately twenty million American veterans.

Mr. Vogler stated that Lt. Governor Quinn's Resolution does not guarantee any action to correct the problem of veteran's health care. He advised that the non-binding Referendum is not going anywhere. Mr. Vogler indicated that, after discussions with other VAC Superintendents and leaders of the Veterans organizations in Central Illinois, the consensus is that the non-binding referendum is an insult to the intelligence of the veterans in the State of Illinois.

Mr. Vogler recommended rejection of the advisory referendum However, he offered an alternate resolution as a substitute for the original resolution. He noted that the resolution he provided reflects the comments and sentiments of the Lt. Governor's resolution as far as support to move VA funding from discretionary to mandatory funding. However, he noted that the resolution he offered does not request a non-binding referendum to be placed on the ballot in February. Rather, the resolution requests that the McLean County Board take a stand for the veterans of McLean County and demand that the United States

Senators and local U.S. Representatives make mandatory the funding of VA health care that the veterans so greatly need.

Mr. Vogler read the last two paragraphs on the first page of the Resolution, which basically "demanded" that legislation be established forcing the Federal Government to adopt funding for veterans health care as a mandatory funding budget item. Chairman Sorensen responded that the paragraphs that Mr. Vogler just read were not the same as the resolution in the packet. He noted that the resolution in the packet stated "respectfully request" not "demand." Mr. Vogler passed out a revised resolution that incorporated the wording he presented. Mr. Zeunik advised that, when the County addresses the State or Federal legislative body, protocol is to "respectfully request." Mr. Vogler responded that he believes "demand" is necessary in this resolution.

Mr. Selzer asked what is fully funded health care. He stated that he does not know of any veteran who was injured in service that is not getting care. Mr. Selzer pointed out the thousands of poor people in the County who are not getting adequate health care as compared to employed veterans, with health care, who would be guaranteed additional health care. Mr. Vogler responded that this issue was addressed by the Federal Government in 2003 when they changed the health care for all veterans. He stated that there are eight categories of priorities of health care in the VA health care system. Mr. Vogler indicated that, in 2003, if a veteran did not sign up for a VA health card, and makes above a certain salary, health care was denied, unless they have a service-connected disability.

Mr. Vogler indicated it appears that VA health care is being moved out of the VA health care system and into a welfare health care system for veterans. He noted that a lot of politicians would like to move VA health care into Medicare/Medicaid. Mr. Selzer replied that another group of Congressmen want to provide VA health care only to those people who have received a service-related injury or illness.

After an additional lengthy discussion, the Committee concurred with the following:

- Not put an advisory Referendum on the ballot;
- Table the resolution to the Legislative Committee.