

RESOLUTION NUMBER \_\_\_\_\_

RESOLUTION providing for and requiring the submission to the electors of The County of St. Clair, Illinois, at the general primary election to be held on the 4<sup>th</sup> of April, 2017, of a proposition authorizing the imposition of a retailers' occupation tax and a service occupation tax to be used exclusively for public safety purposes.

\* \* \*

WHEREAS, Section 5-1006.5 of the Counties Code of the State of Illinois, as amended (the "*County Public Safety Occupation Tax Law*"), authorizes the County Board (the "*County Board*") of The County of St. Clair, Illinois (the "*County*"), to 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 the government of the State of Illinois, at retail in the County on the gross receipts of the sales made in the course of business and a service occupation tax 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, at a rate of 1 % to provide revenue to be used exclusively for public safety purposes (the "*County Public Safety Occupation Taxes*"), if a proposition for the County Public Safety Occupation Taxes (the "*Proposition* ") is submitted to the electors of the County and approved by a majority of the electors voting on the Proposition; and

WHEREAS, for purposes of the County Public Safety Occupation Tax Law, "*public safety purposes*" includes, but is not limited to, criminal justice, crime prevention, detention, fire-fighting, police, or other emergency services; and

WHEREAS, the State of Illinois is responsible for over \$5 million in unpaid probation costs to St. Clair County; and

WHEREAS, probation compliance and monitoring of defendants including sex offenders and others guilty of felony crimes upon which conditions of probation have been imposed by the

court are essential to public safety and enforcement of the law; and

WHEREAS, probation enforcement reduces crime, recidivism and victimization, prevents offenders from reoffending, prevents members of the public from being victimized and increases the chances offenders will not return to a life of crime; and

WHEREAS, the effectiveness of crime reduction models such as drug court, mental health court and veterans court cannot function without sufficient staffing by probation officers; and

WHEREAS, evidence based programs that reduce juvenile delinquency and reduce the chances a juvenile will become an adult offender depend on the enforcement of the conditions of those programs by probation officers; and

WHEREAS, the monitoring of illegal weapons offenders on probation that have a high risk of perpetrating violence and becoming victims of violence requires a sufficient number of probation officers; and

WHEREAS, violations of the conditions of probation without consequence undermines the effectiveness of the criminal justice and the law; and

WHEREAS, modern corrections facilities are necessary to ensure public safety and to minimize tax payer exposure to civil liabilities; and

WHEREAS, those suffering mental health issues too often wind up in the criminal justice system at a time when that system is facing significant reductions in resources; and

WHEREAS, the St. Clair County Jail must be updated to better accommodate individuals with mental health issues and to meet 21<sup>st</sup> Century best practices and standards; and

WHEREAS, modernizing the St. Clair County Jail will also require additional corrections employees; and

WHEREAS, the public demands additional police presence throughout the county to improve public safety and to reduce crime within municipalities and within unincorporated rural areas; and

WHEREAS, additional police services, manpower and taskforces are needed to combat violent crime that affects every part of St. Clair County, and

WHEREAS, fire districts and fire departments, both full time and volunteer continue to need resources for equipment and training to be able to respond to threats to public safety and potential mass casualty events; and

WHEREAS, constant training and retraining on the proper use of force and firearms by law enforcement is fundamental to the protection of police officers and citizens alike and fundamental to public confidence by all citizens in law enforcement; and a shooting range for all St. Clair County law enforcement is necessary for such training; and

WHEREAS, the epidemic of heroin and other opioid overdoses continues to harm St. Clair County communities and families; and

WHEREAS, resources for the Coroner's office to collect more accurate data and conduct additional autopsies as necessary are needed for the development of more effective drug overdose reduction strategies; and

WHEREAS, the effective prosecution of violent crime, sexual assaults, and drug dealers relies too much on often temporary grants from the state and federal government; and

WHEREAS, courthouses and other public buildings are increasingly the targets of international and domestic terrorism as well "lone shooters"; and

WHEREAS, renovations and updates to the St. Clair County Courthouse building are absolutely necessary to meet those emerging safety challenges; and

WHEREAS, improvements to and linking of information technology systems among the State's Attorney's Office, the Sheriff, probation, the courts, corrections and state and federal public safety agencies will greatly enhance the quality of public safety; and

WHEREAS, the Metro East Police District Commission has worked with the Department of Justice to develop a comprehensive plan for sharing of police services, improvements in law enforcement professionalism and integrity, and the implementation of violence reduction strategies by police in the Metro East Police District; and

WHEREAS, the Metro Police District Commission is subject to the oversight of the Illinois Finance Authority; and

WHEREAS, engaging the help of the public when law enforcement responds to emergency situations such as missing children, missing elderly, active shooters, inclement weather or other natural disasters requires a county wide alert system; and

WHEREAS, the Child Advocacy Center, Court Appointed Special Advocates, senior citizen abuse prevention and detection programs and other services are critical parts of the public safety network in our county which all need additional resources; and

WHEREAS, improvements in public safety and the reduction of crime are essential to attract economic development and new residents to St. Clair County; and

WHEREAS, the reduction of poverty and reduction of crime go hand in hand, communities cannot have criminal justice without social justice and communities cannot have social justice without criminal justice; and

WHEREAS, this public safety sales tax cannot be used for any other purpose outside the aforementioned public safety purposes; and

WHEREAS, the tax is estimated to generate approximately \$22 million per year which

would be distributed in these approximate amounts: 25% or approximately \$5.5 million, for police and fire services distributed to municipalities and unincorporated areas on a per capita basis, based upon the most recent census; approximately \$2,000,000 for probation services; approximately \$6,000,000 for jail modernization and renovations; approximately \$1,000,000 for courthouse security renovations; approximately \$5,600,000 for sheriff's personnel; approximately \$500,000 for a county wide-use police shooting range; approximately \$50,000 for a county wide emergency alert system; approximately \$250,000 for State's Attorney Office crime prosecution and reduction; approximately \$500,000 to the Metro East Police District Commission for the implementation of District public safety plan; approximately \$200,000 to the Coroner's Office; approximately \$200,000 to support the Child Advocacy Center, Court Appointed Special Advocates, senior citizen neglect and abuse prevention programs and other evidence based crime reduction programs; and \$200,000 for criminal justice information technology integration; and

WHEREAS, the County Board of the County (the "*County Board*") hereby deems it advisable, necessary and in the best interests of the County that the Proposition be submitted to the voters of the County at an election to be held and conducted in accordance with the general election law; and

WHEREAS, County Public Safety Occupation Tax Law authorizes the County Board to include a sunset provision for the County Public Safety Occupation Taxes in the Proposition at which time the County Public Safety Occupation Taxes would cease being collected, if not terminated earlier by a vote of the County Board; and

WHEREAS, the Board hereby further deems it advisable, necessary and in the best interests of the County to include a sunset provision of 12 years in the Proposition:

Now, THEREFORE, Be It and It Is Hereby Resolved by the County Board of The County of St. Clair, Illinois, as follows:

*Section 1. Incorporation of Preambles.* The County Board hereby finds that all of the recitals contained in the preambles to this Resolution are full, true and correct and does incorporate them into this Resolution by this reference.

*Section 2. Submission to Voters.* The Proposition shall be submitted to the voters of the County in accordance with the general election law at the general primary election to be held on the 4th day of April, 2017, between the hours of 6:00 o'clock A.M. and 7:00 o'clock P.M. on said day (the "Election").

*Section 3. Voting Precincts and Polling Places.* The Election shall be held in the voting precincts and at the polling places established by the County Board for voters of the County at the Election.

*Section 4. Election Notice.* The County Clerk of the County (the "County Clerk") shall give notice of the Election (the "Notice") in accordance with the general election law by (i) publishing the Notice once not more than 30 nor less than 10 days prior to the date of the Election in a local, community newspaper having general circulation in the County, and (ii) posting a copy of the Notice at least 10 days before the date of the Election at the principal office of the County Clerk.

*Section 5. Newspaper of General Circulation.* It is hereby found and determined that the \_\_\_\_\_ is a local, community newspaper having general circulation in the County as required by Section 12-5 of the Election Code of the State of Illinois, as amended (the "Election Code").

*Section 6. Form of Notice.* The notice shall appear over the name or title of the County Clerk and shall be substantially in the following form:

NOTICE IS HEREBY GIVEN that at the general primary election to be held on Tuesday, the 4th day of April, 2017, the following proposition will be submitted to the voters of The County of St. Clair, Illinois:

To pay for public safety purposes, shall The County of St. Clair, Illinois, be authorized to impose an increase on its share of local sales taxes by 1% for a period not to exceed 12 years?

This would mean that a consumer would pay an additional \$1.00 in sales tax for every \$100 of tangible personal property bought at retail. If imposed, the additional tax would cease being collected at the end of 12 years, if not terminated earlier by a vote of the county board.

The polls at the election will be open at 6:00 o'clock A.M. and will continue to be open until 7:00 o'clock P.M. of that day.

Dated this \_\_ day of \_\_\_\_\_, 2016.

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County Clerk. The County of St. Clair, Illinois

*Section 7. Form of Ballot.* The ballot to be used at the Election shall be in substantially the following form, with such alterations, changes, deletions and insertions as may be required by Articles 24A, 24B or 24C of the Election Code if an electronic, mechanical or electric voting system is used at the Election:

(Face of Ballot)

OFFICIAL BALLOT

PROPOSITION TO IMPOSE COUNTY PUBLIC SAFETY OCCUPATION TAXES

(INSTRUCTIONS TO VOTERS: Mark a cross (x) in the space opposite the word indicating the way you desire to vote.)

To pay for public safety purposes, shall The County of St. Clair, Illinois be authorized to impose an increase on its share of local sales taxes by 1% for a period not to exceed 12 years?	YES	
	NO	

This would mean that a consumer would pay an additional \$1.00 in sales tax for every \$100 of tangible personal property bought at retail. If imposed, the additional tax would cease being collected at the end of 12 years, if not terminated earlier by a vote of the county board.

(Back of Paper Ballot)

OFFICIAL BALLOT

Official ballot for voting on the proposition to impose a retailers' occupation tax and a service occupation tax for public safety purposes of The County of St. Clair, Illinois, at the general primary election held on April 4th, 2017.

Precinct Number: \_\_\_\_\_

Polling Place: \_\_\_\_\_

\_\_\_\_\_  
(Facsimile Signature)  
County Clerk, The County of St. Clair, Illinois

*Section 8. Election Judges.* The Election shall be conducted by the election judges appointed by the County board to act in the precincts at which the Proposition will be submitted to the voters of the County.

*Section 9. Filing of Resolution.* After the adoption hereof and not less than 68 days prior to the date of the Election, the County Clerk shall certify, on behalf of the County Board, that the proposition shall be submitted to the voters of the County at the Election.

*Section 10. Canvass of Election.* The Election shall be held and conducted and the returns thereof duly canvassed, all in the manner and time as provided by the general election law.

*Section 11. Severability.* If any section, paragraph, clause or provision of this Resolution shall be held invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

*Section 12. Repealer and Effective Date.* All resolutions and parts of resolutions in conflict herewith be and the same are hereby repealed and that this Resolution be in full force and effect forthwith upon its adoption.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Present: \_\_\_\_\_

Absent: \_\_\_\_\_

Adopted:

Approved:

\_\_\_\_\_

Chairman, County Board

Recorded In County Records: \_\_\_\_\_

Attest:

\_\_\_\_\_

County Clerk, The County of St. Clair, Illinois