

1 AN ACT in relation to highways.

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

4 Section 5. The Illinois Highway Code is amended by
5 changing Sections 6-201.7 and 6-508 as follows:

6 (605 ILCS 5/6-201.7) (from Ch. 121, par. 6-201.7)

7 Sec. 6-201.7. Construct, maintain and repair and be
8 responsible for the construction, maintenance and repair of
9 roads within the district, let contracts, employ labor and
10 purchase material and machinery therefor, subject to the
11 limitations provided in this Code. ~~No contract shall be let
12 for the construction or repair of any road or part thereof in
13 excess of the amount of \$10,000, nor shall any material,
14 machinery or other appliances to be used in road construction
15 or maintenance of roads in excess of such amount be
16 purchased, nor shall several contracts each for an amount of
17 \$10,000 or less be let for the construction or repair of any
18 road or part thereof when such construction or repair is in
19 reality part of one project costing more than \$10,000, nor
20 shall any material, machinery or other appliance to be used
21 therein be purchased under several contracts each for an
22 amount of \$10,000 or less, if such purchases are essentially
23 one transaction amounting to more than \$10,000, without the
24 written approval of the county superintendent of highways in
25 the case of road districts other than consolidated township
26 road districts or without the written approval of the highway
27 board of auditors in the case of consolidated township road
28 districts.~~

29 Except for professional services, when the cost of
30 construction, materials, supplies, new machinery or equipment
31 exceeds \$10,000, the contract for such construction,

1 materials, supplies, machinery or equipment shall be let,
2 ~~after--the--above-written-approval-is-obtained,~~ to the lowest
3 responsible bidder after advertising for bids at least once,
4 and at least 10 days prior to the time set for the opening of
5 such bids, in a newspaper published within the township or
6 road district, or, if no newspaper is published within the
7 township or road district then in one published within the
8 county, or, if no newspaper is published within the county
9 then in a newspaper having general circulation within the
10 township or road district, but, in case of an emergency, such
11 contract may be let without advertising for bids ~~upon--the~~
12 ~~approval--of--the--County-Superintendent-of-Highways-expressing~~
13 ~~in-writing-the-existence-of-such-emergency-and,~~ ~~in--the--case~~
14 ~~of-consolidated-township-road-districts,~~ ~~upon-the-approval-of~~
15 ~~the--highway-board-of-auditors.~~ For purposes of this Section
16 "new machinery or equipment" shall be defined as that which
17 has been previously untitled or that which shows fewer than
18 200 hours on its operating clock and that is accompanied by a
19 new equipment manufacturer's warranty.

20 (Source: P.A. 92-268, eff. 1-1-02.)

21 (605 ILCS 5/6-508) (from Ch. 121, par. 6-508)

22 Sec. 6-508. (a) For the purpose of constructing or
23 repairing bridges, culverts, drainage structures or grade
24 separations, including approaches thereto, at the joint
25 expense of a county and a road district and obtaining aid
26 from the county as provided in Section 5-501 of this Code,
27 there may be included in the annual tax levies provided for
28 in Section 6-501 of this Code a tax of not to exceed .05% of
29 the value of all the taxable property in the road district,
30 as equalized or assessed by the Department of Revenue, which
31 tax shall be in addition to and may be in excess of the
32 maximum levy and may be extended at a rate in addition to and
33 in excess of the tax rate for road purposes authorized under

1 Section 6-501 of this Code.

2 Such tax, when collected, shall constitute and be held by
3 the treasurer of the district as a separate fund to be
4 expended for the construction or repair of bridges, culverts,
5 drainage structures or grade separations, including
6 approaches thereto, at the joint expense of the county and
7 the road district. The highway commissioner shall separately
8 specify in the certificate required by Section 6-501 the
9 amount necessary to be raised by taxation for the purpose of
10 constructing or repairing bridges, culverts, drainage
11 structures or grade separations, including approaches
12 thereto, at the joint expense of the county and the road
13 district. Upon the approval by the county board of the
14 amount so certified as provided in Section 6-501 of this
15 Code, the county clerk shall extend the same against the
16 taxable property of the road district, provided the amount
17 thus approved shall not be extended at a rate in excess of
18 .05% of value, as equalized or assessed by the Department of
19 Revenue.

20 When any improvement project for which a tax may be
21 levied under this Section has been ordered as provided in
22 Section 5-501 and the estimated cost of such project to the
23 road district is in excess of the amount that will be
24 realized from the annual tax levy authorized by this Section
25 when extended and collected, then the road district may
26 accumulate the proceeds of such tax for such number of years
27 as may be necessary to acquire the funds necessary to pay the
28 district's share of the cost of such project. In counties in
29 which a property tax extension limitation is imposed under
30 the Property Tax Extension Limitation Law and the imposition
31 of the property tax extension limitation prevents a road
32 district from levying taxes for road purposes at the required
33 rate, a road district may retain its eligibility if, at the
34 time the property tax extension limitation was imposed, the

1 road district was levying at the required rate and continues
2 to levy the maximum allowable amount after the imposition of
3 the property tax extension limitation. It shall not be a
4 valid objection to any subsequent tax levy made under this
5 Section that there remains unexpended money arising from a
6 preceding levy of a prior year because of the accumulation
7 provided for in this Section.

8 The rate limitation imposed by this Section may be
9 increased for a 10 year period to up to 0.25% of the value of
10 all the taxable property in the road district, as equalized
11 or assessed by the Department of Revenue if the proposition
12 for the increased tax rate is submitted under Sections 6-504
13 and 6-505 and receives a majority of all ballots cast on the
14 proposition at the election held under Section 6-505.

15 (b) All surplus funds remaining in the hands of the
16 treasurer of the road district after the completion of any
17 construction or repairing of bridges, culverts, drainage
18 structures or grade separations, including approaches
19 thereto, under this Section, shall be turned over, at the
20 request of the highway commissioner, ~~with-the-written-consent~~
21 ~~of-the-county-superintendent,~~ to the regular road fund of the
22 road district. Upon such request, no further levy under this
23 Section is to be extended by the county clerk unless the
24 proposition authorizing such further levy is submitted under
25 Sections 6-504 and 6-505 and receives a majority of all
26 ballots cast on the proposition at the election held under
27 Section 6-505.

28 (c) The moneys from this tax may also be used for
29 construction and maintenance of bridges, culverts and other
30 drainage facilities, or grade separations, including
31 approaches thereto, on, under, or over the district roads,
32 without joint county funds being involved and without
33 limitation as to size of project, but only if adequate funds
34 are available for all projects for which the road district

1 has petitioned the county for joint participation. If the
2 project size is over \$10,000, the road district commissioner
3 shall also obtain the permission of the county engineer.

4 (Source: P.A. 92-268, eff. 1-1-02; 92-800, eff. 8-16-02.)

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