



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB1546

Introduced 2/10/2005, by Rep. Eileen Lyons

#### SYNOPSIS AS INTRODUCED:

70 ILCS 920/3

from Ch. 23, par. 1703

70 ILCS 920/5.4 new

Amends the Tuberculosis Sanitarium District Act. Dissolves the Suburban Cook County Tuberculosis Sanitarium District on January 1, 2006. Transfers its responsibilities to the Cook County Bureau of Health Services. Provides for transition by adding 2 members to the Board of the dissolving District. Requires transition plans to be developed. Prohibits the dissolving District from making any enhancement to pensions. Allows the Cook County Board to transfer unimproved real estate owned by the District to the Cook County Forest Preserve District. Provides that Sanitarium District land shall remain subject to any lease or encumbrance. Prohibits any local government from taking a leased parcel during the term of the lease. Allows Cook County to impose a levy for care and treatment of tuberculosis and respiratory diseases. Adds the tax base of the dissolved district to the tax base of Cook County. Effective immediately.

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FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

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 Tuberculosis Sanitarium District Act is  
5 amended by changing Sections 3 and 5.4 as follows:

6 (70 ILCS 920/3) (from Ch. 23, par. 1703)

7 Sec. 3. Board of directors.

8 (a) All courts shall take judicial notice of all  
9 tuberculosis sanitarium districts organized under this Act.  
10 The affairs of such district shall be managed by a board of 3  
11 directors, appointed by the presiding officer of the county  
12 board with the advice and consent of the county board, of the  
13 county in which the district is situated, except that in  
14 districts of 500,000 or more population the board of directors  
15 shall consist of 5 members. At least one member of the board of  
16 directors shall be a licensed physician, and all shall be  
17 chosen with reference to their special fitness for the office.  
18 The first appointments shall be made within 90 days and not  
19 sooner than 60 days after the district has been organized as  
20 provided herein. Each member of the board shall be a legal  
21 voter in the district. At the time of the making of the first  
22 appointments, one director shall be appointed for a term of one  
23 year, one for a term of 2 years, and one for 3, as the case may  
24 be, for a term of 3 years, and until their successors are  
25 appointed and qualified. At the expiration of the term of any  
26 member, his successor shall be appointed in like manner for a  
27 term of 3 years and until his successor is appointed and  
28 qualified. But no more than 2 members of such board, if it  
29 shall be a board of 3 members, and no more than 3 members of  
30 such board, if it shall be a board of 5 members, shall be of the  
31 same political party. Each member of the board before entering  
32 upon the duties of his office shall take the oath prescribed by

1 the Constitution.

2 (b) From the time of the appointment of the first board of  
3 directors, such district shall be a body corporate and politic  
4 by the name and style determined as aforesaid, and by such name  
5 may sue and be sued, contract and be contracted with, acquire  
6 and hold real and personal estate necessary for the corporate  
7 purposes and adopt a seal and alter the same at its pleasure.

8 (c) Notwithstanding any other provision of law to the  
9 contrary, upon the effective date of this amendatory Act of the  
10 94th General Assembly and until its dissolution by operation of  
11 law on January 1, 2006, in addition to the members appointed  
12 under subsection (a), the board of directors of the Suburban  
13 Cook County Tuberculosis Sanitarium District shall consist of 2  
14 additional members as follows: (i) the Director of the Cook  
15 County Department of Public Health, or his or her designee, and  
16 (ii) an at-large member appointed by the President of the Cook  
17 County Board. The additional members appointed under this  
18 subsection are subject to the appointment requirements of  
19 subsection (a), except to the extent that they conflict with  
20 this subsection (c).

21 (Source: P.A. 85-1440.)

22 (70 ILCS 920/5.4 new)

23 Sec. 5.4. Dissolution of Suburban Cook County Tuberculosis  
24 Sanitarium District; disposition of land and real estate;  
25 continuation of District levy.

26 (a) Notwithstanding any provision of law to the contrary,  
27 the Suburban Cook County Tuberculosis Sanitarium District is  
28 dissolved by operation of law on January 1, 2006.

29 (b) Before January 1, 2006, the Board of Directors shall  
30 prepare a transition plan that provides for the consolidation  
31 of all of the existing programs, personnel, and infrastructure  
32 of the District into the Cook County Bureau of Health Services  
33 to be administered by the Cook County Department of Public  
34 Health. Beginning on the effective date of this amendatory Act  
35 of the 94th General Assembly and before January 1, 2006, the

1 District shall not make any enhancements to pensions.

2 (c) Upon dissolution of the district: (i) all assets and  
3 liabilities of the Suburban Cook County Tuberculosis  
4 Sanitarium District dissolved under this amendatory Act of the  
5 94th General Assembly shall be transferred to the Cook County  
6 Board and the monetary assets shall be deposited into a special  
7 purpose fund for the care and treatment of tuberculosis in  
8 suburban Cook County; (ii) the Cook County Department of Public  
9 Health shall assume all responsibility for tuberculosis care  
10 and treatment of the Suburban Cook County Tuberculosis  
11 Sanitarium District dissolved under this amendatory Act of the  
12 94th General Assembly, including the provision of tuberculosis  
13 care and treatment for units of local government with  
14 State-certified local public health departments; and (iii)  
15 employees of the Suburban Cook County Tuberculosis Sanitarium  
16 District become employees of Cook County.

17 (d) The Cook County Board may transfer to the Cook County  
18 Forest Preserve District appropriate unimproved real estate  
19 owned by the Suburban Cook County Tuberculosis Sanitarium  
20 District at the time of its dissolution. After the dissolution  
21 of the District, any land owned by the District at the time of  
22 its dissolution remains subject to any leases and encumbrances  
23 that existed upon the dissolution of the District and, if the  
24 land is subject to a lease, the land may not be taken by any  
25 unit of government during the term of the lease.

26 (e) Upon the dissolution of the Suburban Cook County  
27 Tuberculosis Sanitarium District: (i) any levy imposed by the  
28 dissolved District is abolished and (ii) Cook County, as a home  
29 rule unit, may impose a levy for the purpose of the care and  
30 treatment of tuberculosis and emerging respiratory diseases,  
31 including, but not limited to, severe acute respiratory  
32 syndrome and avian flu, in Cook County. In accordance with  
33 subsection (b) of Section 12 of the State Revenue Sharing Act,  
34 the tax base of the dissolved Suburban Cook County Tuberculosis  
35 Sanitarium District shall be added to the tax base of Cook  
36 County.

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