



Sen. Pamela J. Althoff

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1 AMENDMENT TO SENATE BILL 2287

2 AMENDMENT NO. _____. Amend Senate Bill 2287 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by adding
5 Section 2-85 as follows:

6 (35 ILCS 200/2-85 new)

7 Sec. 2-85. Cessation of township. If a township ceases as
8 provided in Article 29 of the Township Code, then the
9 supervisor of assessments or county assessor, as applicable,
10 shall assume the duties of the township assessor under this
11 Code.

12 Section 10. The Counties Code is amended by changing
13 Section 2-4006 as follows:

14 (55 ILCS 5/2-4006)

1 Sec. 2-4006. Terms of commissioners.

2 (a) In every county not under township organization that is
3 organized as commission form of government having 3
4 commissioners elected at large as described in subsection (b)
5 or (c), the commissioners shall be elected as provided in this
6 Section.

7 (b) In a county in which one commissioner was elected at
8 the general election in 1992 to serve for a term of 4 years and
9 in which 2 commissioners will be elected at the general
10 election in 1994, the commissioner elected in 1994 and
11 receiving the greatest number of votes shall serve for a term
12 of 6 years. The other commissioner elected in 1994 shall serve
13 for a term of 4 years. At the general election in 1996 and at
14 each general election thereafter, one commissioner shall be
15 elected to serve for a term of 6 years.

16 (c) In a county in which 2 commissioners were elected at
17 the general election in 1992 to serve for terms of 4 years and
18 in which one commissioner will be elected at the general
19 election in 1994, the commissioner elected in 1994 shall serve
20 for a term of 4 years. The commissioner elected in 1996 and
21 receiving the greatest number of votes shall serve for a term
22 of 6 years. The other commissioner elected in 1996 shall serve
23 for a term of 4 years. At the general election in 1998 and at
24 each general election thereafter, one commissioner shall be
25 elected to serve for a term of 6 years.

26 (c-5) In Calhoun County, Edwards County, and Union County,

1 the registered voters of the county may, upon referendum
2 initiated by (i) the adoption of a resolution of the board of
3 county commissioners or (ii) a petition signed by not less than
4 10% of the registered voters in the county, determine that the
5 board of county commissioners shall consist of 5 commissioners
6 elected at large. The commissioners must certify the question
7 to the proper election authority, which must submit the
8 question at an election in accordance with the general election
9 law.

10 The question shall be submitted in substantially the
11 following form:

12 "Shall the board of county commissioners of (county)
13 consist of 5 commissioners elected at large?"

14 Votes must be recorded as "Yes" or "No". If a majority of
15 the electors voting on the question vote in the affirmative,
16 then a 5-member board of county commissioners shall be
17 established beginning with the next general election. The
18 County Clerk, in consultation with the State's Attorney for the
19 county, shall develop and present to the board of county
20 commissioners, to implement by the adoption of a resolution,
21 the transition of terms for the current 3-member board of
22 commissioners and the addition of 2 commissioners for 6-year
23 terms. Thereafter, commissioners shall be elected at each
24 general election to fill expired terms.

25 (d) The provisions of this Section do not apply to
26 commissioners elected under Section 2-4006.5 of this Code.

1 (Source: P.A. 96-175, eff. 8-10-09.)

2 Section 15. The Township Code is amended by adding Article
3 29 and by changing Sections 25-7, 25-15, and 25-25 as follows:

4 (60 ILCS 1/25-7 new)

5 Sec. 25-7. Cost and services study. Prior to certifying and
6 causing a proposition to be submitted to the voters under
7 Section 25-5, the county board and the township board shall
8 conduct or have conducted a cost and services study detailing
9 the fiscal and services impact the discontinuance of township
10 organization would have on the taxpayers of the county and
11 township. Any such cost and services study shall be completed
12 not more than 45 days after the filing of a petition under
13 Section 25-5. After receipt of the cost study by the county
14 board and township board, and no later than 60 days after
15 filing of a petition under Section 25-5, the county board shall
16 certify and cause the proposition to be submitted to the voters
17 of the county to discontinue township organization as provided
18 in Section 25-5.

19 (60 ILCS 1/25-15)

20 Sec. 25-15. Selection of county governing body; election
21 ~~Election of county commissioners.~~ When township organization
22 ceases in any county as provided in this Article, the county
23 board may by ordinance or resolution restructure into a

1 commission form of government on or before 180 days after a
2 township organization ceases. If the county board votes to
3 assume a commission form of government, an election shall be
4 held in the county at the next general election in an
5 even-numbered year for 3 county commissioners who shall hold
6 office for 2, 4, and 6 years, respectively, and until their
7 successors are elected and qualified. Terms shall be determined
8 by lot. At each succeeding general election after the first,
9 one commissioner shall be elected.

10 (Source: P.A. 82-783; 88-62.)

11 (60 ILCS 1/25-25)

12 Sec. 25-25. Disposal of township records and property. When
13 township organization is discontinued in any county, the
14 records of the several townships shall be deposited in the
15 county clerk's office. The county board or board of county
16 commissioners of the county may close up all unfinished
17 business of the several townships and sell and dispose of any
18 of the property belonging to a township for the benefit of the
19 inhabitants of the township, as fully as might have been done
20 by the townships themselves. The county board or or board of
21 county commissioners may pay all the indebtedness of any
22 township existing at the time of the discontinuance of township
23 organization and cause the amount of the indebtedness, or so
24 much as may be necessary, to be levied upon the property of the
25 township.

1 (Source: P.A. 82-783; 88-62.)

2 (60 ILCS 1/Art. 29 heading new)

3 ARTICLE 29. DISCONTINUANCE OF SINGULAR TOWNSHIP WITHIN A COUNTY

4 (60 ILCS 1/29-5 new)

5 Sec. 29-5. Petition to discontinue and abolish a singular
6 township within a county. Upon petition of at least 5% of the
7 registered voters of a township, the county board of the county
8 in which the township is located shall certify and cause to be
9 submitted to the voters of the county, at the next election, a
10 proposition to discontinue and abolish that township and to
11 transfer all the rights, powers, duties, assets, property,
12 liabilities, obligations, and responsibilities of the township
13 to the county board, or any county department or officer
14 designated by the county board.

15 A signature on a petition shall not be valid or counted in
16 considering the petition unless the form requirements are
17 complied with and the date of each signature is less than 180
18 days before the last day for filing the petition. The statement
19 of the person who circulates the petition must include an
20 attestation (i) indicating the dates on which that sheet was
21 circulated, (ii) indicating the first and last date on which
22 that sheet was circulated, or (iii) certifying that none of the
23 signatures on the sheet was signed more than 180 days before
24 the last day for filing the petition. The petition shall be

1 treated and the proposition certified in the manner provided by
2 the general election law. After the proposition has once been
3 submitted to the electorate, the proposition shall not be
4 resubmitted for 4 years.

5 The proposition shall be in substantially the following
6 form:

7 Shall (name of township) Township be discontinued and
8 abolished with all the rights, powers, duties, assets,
9 property, liabilities, obligations, and responsibilities
10 being assumed by (name of county) County?

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

12 (60 ILCS 1/29-7 new)

13 Sec. 29-7. Cost and services study. Prior to submitting a
14 proposition to the voters under Section 29-5, the county board
15 and the township board of the township being discontinued shall
16 conduct or have conducted a cost and services study detailing
17 the fiscal and service impact the discontinuance of the
18 township would have on the taxpayers of the county and
19 township. Any such cost and services study shall be completed
20 not more than 45 days after the filing of a petition under
21 Section 29-5. After receipt of the cost and services study by
22 the county board and township board, and no later than 60 days
23 after the filing of a petition under Section 29-5, the county
24 board shall certify and cause the proposition to be submitted
25 to the voters of the county to discontinue the township as

1 provided in Section 29-5.

2 (60 ILCS 1/29-10 new)

3 Sec. 29-10. Cessation of township. If a majority of the
4 votes of the county cast are in favor of the proposition to
5 discontinue and abolish the township, then the township shall
6 cease after expiration of the township officers' terms under
7 Section 29-15 of this Article. All laws relating to counties
8 not under township organization shall be applicable to the
9 township, the same as if the township organization had never
10 been adopted.

11 On the effective date of the discontinuance and abolishment
12 of the township, all the rights, powers, duties, assets,
13 property, liabilities, obligations, and responsibilities of
14 the township shall by operation of law vest in and be assumed
15 by the county.

16 (60 ILCS 1/29-15 new)

17 Sec. 29-15. Township officers.

18 (a) The township officers of any township that is
19 discontinued pursuant to this Article shall continue as
20 officers of that township until the expiration of the
21 respective terms for which they were elected or appointed.

22 (b) On and after the expiration of the term of a township
23 officer, the county board, or county department or officer
24 designated by the county board, shall exercise all duties and

1 responsibilities of that township officer as provided in the
2 Township Code, the Illinois Public Aid Code, Property Tax Code,
3 and the Illinois Highway Code, as applicable. The county may
4 enter into an intergovernmental agreement or contract with a
5 municipality or the State to administer the duties and
6 responsibilities of that township officer for services under
7 its jurisdiction.

8 (60 ILCS 1/29-20 new)

9 Sec. 29-20. Cessation of township; taxing authority. The
10 county in which the township is located shall assume all taxing
11 authority of the township abolished under this Article. For
12 purposes of distribution of revenue, the county board, or
13 county department or officer designated by the county board,
14 shall assume the powers, duties, and obligations of the
15 township.

16 (60 ILCS 1/29-25 new)

17 Sec. 29-25. Business, records, and property of
18 discontinued township. The records of a township discontinued
19 under this Article shall be deposited in the county clerk's
20 office. The county board, or county department or officer
21 designated by the county board, may close up all unfinished
22 business of the township and sell and dispose of any of the
23 property belonging to the township for benefit of the
24 inhabitants of the county.

1 Section 20. The Public Health District Act is amended by
2 adding Section 27 as follows:

3 (70 ILCS 905/27 new)

4 Sec. 27. Cessation of township. If a township ceases as
5 provided in Article 29 of the Township Code, then the county
6 board, or county department or officer designated by the county
7 board, shall assume the duties, powers, and responsibilities of
8 the board of health for the public health district under this
9 Act.

10 Section 25. The Illinois Public Aid Code is amended by
11 adding Section 12-3.2 as follows:

12 (305 ILCS 5/12-3.2 new)

13 Sec. 12-3.2. Cessation of township. Upon the
14 discontinuance of a township as provided in Article 29 of the
15 Township Code, the county shall provide funds for and
16 administer the public aid program provided by Article VI.

17 Section 30. The Illinois Highway Code is amended by adding
18 Section 5-205.11 as follows:

19 (605 ILCS 5/5-205.11 new)

20 Sec. 5-205.11. Cessation of township. If a township ceases

1 as provided in Article 29 of the Township Code, then the county
2 shall assume the duties of highway commissioner under this
3 Code.

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