

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 6-130, 6-508, and 6-701.8 as follows:

6 (605 ILCS 5/6-130) (from Ch. 121, par. 6-130)

7 Sec. 6-130. Notwithstanding any other provision of this
8 Act to the contrary, no township road district may continue
9 in existence if the roads forming a part of the district do
10 not exceed a total of 4 miles in length. On the first Tuesday
11 in April of 1975, or of any subsequent year next succeeding
12 the reduction of a township road system to a total mileage of
13 4 miles or less, each such township road district shall, by
14 operation of law, be abolished. The roads comprising that
15 district at that time shall thereafter be administered by the
16 township board of trustees by contracting with the county, a
17 municipality or a private contractor. The township board of
18 trustees shall assume all taxing authority of a township road
19 district abolished under this Section.

20 (Source: P.A. 83-605.)

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

1 tax shall be in addition to and may be in excess of the
 2 maximum levy and may be extended at a rate in addition to and
 3 in excess of the tax rate for road purposes authorized under
 4 Section 6-501 of this Code.

5 Such tax, when collected, shall constitute and be held by
 6 the treasurer of the district as a separate fund to be
 7 expended for the construction or repair of bridges, culverts,
 8 drainage structures or grade separations, including
 9 approaches thereto, at the joint expense of the county and
 10 the road district. The highway commissioner shall separately
 11 specify in the certificate required by Section 6-501 the
 12 amount necessary to be raised by taxation for the purpose of
 13 constructing or repairing bridges, culverts, drainage
 14 structures or grade separations, including approaches
 15 thereto, at the joint expense of the county and the road
 16 district. Upon the approval by the county board of the
 17 amount so certified as provided in Section 6-501 of this
 18 Code, the county clerk shall extend the same against the
 19 taxable property of the road district, provided the amount
 20 thus approved shall not be extended at a rate in excess of
 21 .05% of value, as equalized or assessed by the Department of
 22 Revenue.

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

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

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

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

31 (c) The moneys from this tax may also be used for
32 construction and maintenance of bridges, culverts and other
33 drainage facilities, or grade separations, including
34 approaches thereto, on, under, or over the district roads,

1 without joint county funds being involved and without
2 limitation as to size of project, but only if adequate funds
3 are available for all projects for which the road district
4 has petitioned the county for joint participation. If the
5 project size is over \$10,000 ~~\$5,000~~, the road district
6 commissioner shall also obtain the permission of the county
7 engineer.

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

9 (605 ILCS 5/6-701.8) (from Ch. 121, par. 6-701.8)

10 Sec. 6-701.8. The formula allocation for township and
11 road districts for the distribution of motor fuel tax funds,
12 provided for in Section 8 in the "Motor Fuel Tax Law", may be
13 used by the highway commissioner, subject to the conditions
14 set out in Sections 6-301, 6-701.1 and 6-701.2 as respects
15 the methods, equipment and materials appropriate for such
16 maintenance or improvement, and, in township counties, with
17 the approval of the board of town trustees, for the
18 maintenance or improvement of nondedicated subdivision roads
19 established prior to July 23, 1959. Any such road improved
20 becomes, by operation of law, a part of the township and
21 district road system providing such road meets standards as
22 established by the county. In township counties, the board of
23 town trustees shall condition its approval, as required by
24 this Section, upon proportional matching contributions,
25 whether in cash, kind, services or otherwise, by property
26 owners in the subdivision where such a road is situated. No
27 more than the amount of the increase in allocation
28 attributable to this amendatory Act of 1979 and any
29 subsequent amendatory Act plus 50% ~~20%~~ of such funds
30 otherwise allocated under the formula as provided in Section
31 8 in the "Motor Fuel Tax Law" and subsequently approved as
32 provided in this Section, may be expended on eligible
33 nondedicated subdivision roads.

1 (Source: P.A. 83-957.)

2 Section 99. Effective date. This Act takes effect upon

3 becoming law.