

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 Election Code is amended by adding Section  
5 3-7 and by changing Section 28-1 as follows:

6 (10 ILCS 5/3-7 new)

7 Sec. 3-7. Voters in consolidating and merging townships.

8 (a) In the consolidated election where township trustees  
9 are elected next following the certification of a successful  
10 referendum to consolidate townships under Article 22 of the  
11 Township Code, the qualified electors entitled to caucus, vote  
12 for, be nominated for, and run for offices in the consolidated  
13 township that is to be formed are those registered voters  
14 residing in any of the townships identified in the referendum  
15 as they exist prior to consolidation.

16 (b) In the consolidated election where township trustees  
17 are elected next following the certification of a successful  
18 referendum to dissolve a township and merge its territory into  
19 2 adjacent townships under Article 23 of the Township Code, the  
20 qualified electors entitled to caucus, vote for, be nominated  
21 for, and run for offices in a receiving township shall also  
22 include those registered voters residing in the territory of  
23 the dissolving township described in the resolutions adopted

1 under Section 23-10 of the Township Code as the territory to be  
2 merged with the receiving township. For purposes of this  
3 subsection (b) only, "dissolving township" and "receiving  
4 township" have the meaning provided in Section 23-5 of the  
5 Township Code.

6 (10 ILCS 5/28-1) (from Ch. 46, par. 28-1)

7 Sec. 28-1. The initiation and submission of all public  
8 questions to be voted upon by the electors of the State or of  
9 any political subdivision or district or precinct or  
10 combination of precincts shall be subject to the provisions of  
11 this Article.

12 Questions of public policy which have any legal effect  
13 shall be submitted to referendum only as authorized by a  
14 statute which so provides or by the Constitution. Advisory  
15 questions of public policy shall be submitted to referendum  
16 pursuant to Section 28-5 or pursuant to a statute which so  
17 provides.

18 The method of initiating the submission of a public  
19 question shall be as provided by the statute authorizing such  
20 public question, or as provided by the Constitution.

21 All public questions shall be initiated, submitted and  
22 printed on the ballot in the form required by Section 16-7 of  
23 this Act, except as may otherwise be specified in the statute  
24 authorizing a public question.

25 Whenever a statute provides for the initiation of a public

1 question by a petition of electors, the provisions of such  
2 statute shall govern with respect to the number of signatures  
3 required, the qualifications of persons entitled to sign the  
4 petition, the contents of the petition, the officer with whom  
5 the petition must be filed, and the form of the question to be  
6 submitted. If such statute does not specify any of the  
7 foregoing petition requirements, the corresponding petition  
8 requirements of Section 28-6 shall govern such petition.

9 Irrespective of the method of initiation, not more than 3  
10 public questions other than (a) back door referenda, (b)  
11 referenda to determine whether a disconnection may take place  
12 where a city coterminous with a township is proposing to annex  
13 territory from an adjacent township, (c) referenda held under  
14 the provisions of the Property Tax Extension Limitation Law in  
15 the Property Tax Code, ~~or~~ (d) referenda held under Section  
16 2-3002 of the Counties Code, or (e) referenda held under  
17 Article 22, 23, or 29 of the Township Code may be submitted to  
18 referendum with respect to a political subdivision at the same  
19 election.

20 If more than 3 propositions are timely initiated or  
21 certified for submission at an election with respect to a  
22 political subdivision, the first 3 validly initiated, by the  
23 filing of a petition or by the adoption of a resolution or  
24 ordinance of a political subdivision, as the case may be, shall  
25 be printed on the ballot and submitted at that election.  
26 However, except as expressly authorized by law not more than

1 one proposition to change the form of government of a  
2 municipality pursuant to Article VII of the Constitution may be  
3 submitted at an election. If more than one such proposition is  
4 timely initiated or certified for submission at an election  
5 with respect to a municipality, the first validly initiated  
6 shall be the one printed on the ballot and submitted at that  
7 election.

8 No public question shall be submitted to the voters of a  
9 political subdivision at any regularly scheduled election at  
10 which such voters are not scheduled to cast votes for any  
11 candidates for nomination for, election to or retention in  
12 public office, except that if, in any existing or proposed  
13 political subdivision in which the submission of a public  
14 question at a regularly scheduled election is desired, the  
15 voters of only a portion of such existing or proposed political  
16 subdivision are not scheduled to cast votes for nomination for,  
17 election to or retention in public office at such election, but  
18 the voters in one or more other portions of such existing or  
19 proposed political subdivision are scheduled to cast votes for  
20 nomination for, election to or retention in public office at  
21 such election, the public question shall be voted upon by all  
22 the qualified voters of the entire existing or proposed  
23 political subdivision at the election.

24 Not more than 3 advisory public questions may be submitted  
25 to the voters of the entire state at a general election. If  
26 more than 3 such advisory propositions are initiated, the first

1 3 timely and validly initiated shall be the questions printed  
2 on the ballot and submitted at that election; provided however,  
3 that a question for a proposed amendment to Article IV of the  
4 Constitution pursuant to Section 3, Article XIV of the  
5 Constitution, or for a question submitted under the Property  
6 Tax Cap Referendum Law, shall not be included in the foregoing  
7 limitation.

8 (Source: P.A. 93-308, eff. 7-23-03.)

9 Section 10. The Counties Code is amended by changing the  
10 heading of Division 2-4, and by changing Sections 2-4006,  
11 5-44010, 5-44020, and by adding Section 5-44043 as follows:

12 (55 ILCS 5/Div. 2-4 heading)

13 Division 2-4. Counties not under  
14 Township Organization  
15 Organized as a Commission  
16 Form of Government

17 (55 ILCS 5/2-4006)

18 Sec. 2-4006. Terms of commissioners.

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

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

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

20           (c-5) In Calhoun County, Edwards County, and Union County,  
21 the registered voters of the county may, upon referendum  
22 initiated by (i) the adoption of a resolution of the board of  
23 county commissioners or (ii) a petition signed by not less than  
24 10% of the registered voters in the county, determine that the  
25 board of county commissioners shall consist of 5 commissioners  
26 elected at large. The commissioners must certify the question

1 to the proper election authority, which must submit the  
2 question at an election in accordance with the general election  
3 law.

4 The question shall be submitted in substantially the  
5 following form:

6 "Shall the board of county commissioners of (county)  
7 consist of 5 commissioners elected at large?"

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

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

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

22 (55 ILCS 5/5-44010)

23 Sec. 5-44010. Applicability. The powers and authorities  
24 provided by this Division 5-44 apply to all counties ~~DuPage,~~  
25 ~~Lake, and McHenry Counties~~ and units of local government within

1 such counties.

2 (Source: P.A. 98-126, eff. 8-2-13; 99-709, eff. 8-5-16.)

3 (55 ILCS 5/5-44020)

4 Sec. 5-44020. Definitions. In this Division 5-44:

5 "Fire protection jurisdiction" means a fire protection  
6 district, municipal fire department, or service organized  
7 under Section 5-1056.1 of the Counties Code, Sections 195 and  
8 200 of the Township Code, Section 10-2.1 of the Illinois  
9 Municipal Code, or the Illinois Fire Protection District Act.

10 "Governing board" means the individual or individuals who  
11 constitute the corporate authorities of a unit of local  
12 government.

13 "Unit of local government" or "unit" means any unit of  
14 local government located entirely within one county, to which  
15 the county board chairman or county executive directly appoints  
16 a majority of its governing board with the advice and consent  
17 of the county board, but shall not include a fire protection  
18 district that directly employs any regular full-time  
19 employees, a conservation district organized under the  
20 Conservation District Act, ~~or~~ a special district organized  
21 under the Water Commission Act of 1985, a community mental  
22 health board established under the Community Mental Health  
23 Board Act, or a board established under the County Care for  
24 Persons with Developmental Disabilities Act.

25 (Source: P.A. 98-126, eff. 8-2-13; 98-756, eff. 7-16-14;



1 99-709, eff. 8-5-16.)

2 (55 ILCS 5/5-44043 new)

3 Sec. 5-44043. Rights and obligations of employees.

4 (a) The status and rights of employees represented by an  
5 exclusive bargaining representative shall not be affected by  
6 the dissolution of a unit of local government under this  
7 Division, except that this subsection does not apply in DuPage,  
8 Lake, and McHenry Counties for actions taken before the  
9 effective date of this amendatory Act of the 100th General  
10 Assembly.

11 (b) Obligations of the dissolving unit of local government  
12 assumed by the trustee-in-dissolution, county, or governing  
13 body of a special service area include the obligation to honor  
14 representation rights under the Illinois Public Labor  
15 Relations Act and any collective bargaining agreements  
16 existing on the date of dissolution of the unit of local  
17 government.

18 (c) The rights of employees under any pensions, retirement  
19 plans, or annuity plans existing on the date of dissolution of  
20 the unit of local government are not affected by the  
21 dissolution of a unit of local government under this Division.

22 Section 15. The Township Code is amended by adding Articles  
23 22, 23, and 29 and by changing Sections 10-25, 25-15, 25-25,  
24 and 65-20 as follows:

1 (60 ILCS 1/10-25)

2 Sec. 10-25. Plan for changes in townships.

3 (a) The county board of each county may, subject to a  
4 referendum in the townships affected as provided in this  
5 Section, adopt a plan for altering the boundaries of townships,  
6 changing township lines, dividing, enlarging, or consolidating  
7 townships, or creating new townships, so that each township  
8 shall possess an equalized assessed valuation of not less than  
9 \$10,000,000 as of the 1982 assessment year ~~or an area of not~~  
10 ~~more than 126 square miles.~~

11 (b) No alteration or change in boundaries shall be  
12 effective unless approved by a referendum in each township  
13 affected. The election authority shall submit to the voters of  
14 each township affected, at a regular election to be held not  
15 less than 60 days after the plan is adopted, the question of  
16 approving the alteration or change. The alterations or changes,  
17 if approved by the voters, shall take effect on the date of the  
18 next township election and shall be applicable to that  
19 election. If there is doubt as to the township clerk with whom  
20 nomination papers for that election should be filed, the county  
21 board shall designate the clerk. In the alteration of  
22 boundaries, a county board may not disturb urban or coterminous  
23 townships in existence on October 1, 1978.

24 (Source: P.A. 84-1308; 88-62.)

1 (60 ILCS 1/Art. 22 heading new)

2 ARTICLE 22. CONSOLIDATION OF

3 MULTIPLE TOWNSHIPS

4 (60 ILCS 1/22-5 new)

5 Sec. 22-5. Resolution for consolidation; notice.

6 (a) Notwithstanding any other provision of law to the  
7 contrary, the township boards of any 2 or more adjacent  
8 townships may, by identical resolutions of each board, propose  
9 consolidation by referendum: (i) into a new township; or (ii)  
10 into an existing township. Each resolution shall include, but  
11 is not limited to, the following:

12 (1) the name of the proposed new consolidated township  
13 or the name of the existing township into which all  
14 townships will be consolidated;

15 (2) a description of how each road district or road  
16 districts of a dissolving township shall comply with  
17 subsection (c) of Section 22-20 if a township will be  
18 consolidating into an existing township;

19 (3) the names of all townships that will be  
20 consolidating and a description of the area of  
21 consolidation; and

22 (4) the date of the general election at which the  
23 referendum shall be held.

24 All resolutions shall be passed not less than 79 days  
25 before the general election stated in the resolutions. For

1 purposes of this Section, 3 or more townships are adjacent when  
2 each township shares a boundary with at least one of the other  
3 townships which are to be consolidated.

4 (b) Before passing a resolution under subsection (a), each  
5 township board shall hold a public hearing on those matters  
6 after notice of the hearing has been published in a newspaper  
7 having a general circulation in the townships affected. The  
8 notice shall be published at least 30 days before the date of  
9 the hearing. The notice shall contain, at a minimum, the name  
10 of all townships that will be consolidating and a description  
11 of the area of consolidation.

12 (60 ILCS 1/22-10 new)

13 Sec. 22-10. Referendum.

14 (a) Upon the adoption of resolutions under Section 22-5 by  
15 each township, the township boards shall certify the question  
16 to the election authority and the authority shall cause to be  
17 submitted to the voters of each township at the general  
18 election specified in the resolutions a referendum to  
19 consolidate the townships. The referendum shall be  
20 substantially in the following form:

21 Shall (names of townships) be consolidated into [a new  
22 township called (name of proposed consolidated  
23 township)/the township of (name of existing township)]?

24 The votes shall be recorded as "Yes" or "No". The  
25 referendum is approved when a majority of the voters, in each

1 of the affected townships, approve the referendum.

2 (b) Before a referendum appears on the ballot under  
3 subsection (a), each township board shall publish a copy of the  
4 adopted resolution in a newspaper having a general circulation  
5 in each of the townships affected. The notice shall be  
6 published at least 30 days before the date of the general  
7 election in which the referendum will appear.

8 Each township board shall additionally mail a copy of the  
9 adopted resolution, along with a copy of the referendum  
10 language and a list of all taxes levied for general township  
11 purposes in the affected townships, to every registered voter  
12 in each township affected. The notice shall be mailed at least  
13 30 days before the date of the general election in which the  
14 referendum will appear.

15 (c) Notwithstanding any provision of law to the contrary,  
16 no tax rate may be extended for any fund of the consolidated  
17 district for the first levy year of the consolidated district  
18 that exceeds any statutory maximum set forth for that fund,  
19 unless the referendum also conforms to the requirements of the  
20 Property Tax Extension Limitation Law or other statutory  
21 provision setting forth that limitation.

22 (60 ILCS 1/22-15 new)

23 Sec. 22-15. Transition. Notwithstanding any other  
24 provision of law to the contrary, upon the approval of a  
25 referendum under Section 22-10:

1       (a) There shall be no further nominations or elections for  
2       clerks, assessors, collectors, highway commissioners,  
3       supervisors, or trustees of any of the separate townships or  
4       highway commissions, and the terms of all such officers  
5       currently serving shall continue until the third Monday of May  
6       of the year in which township officials are elected next  
7       following the approval of a referendum under Section 22-10.

8       (b) A Transition Township Board is formed and is composed  
9       of the members of the separate townships boards. The Transition  
10       Township Board shall have only the following powers: (1) to  
11       propose and approve the compensation of all officials of the  
12       consolidated township that will be elected at the consolidated  
13       election next following the passage of the referendum under  
14       Section 22-10; and (2) to propose and approve additional debt  
15       to be taken on by any of the separate townships.

16       (c) The Transition Township Board shall hold a public  
17       hearing no later than the last Tuesday in December before the  
18       consolidated township board of trustees are elected next  
19       following the approval of a referendum under Section 22-10. If  
20       the Board cannot agree on the compensation for an official by  
21       the first Tuesday in April before the consolidated election of  
22       township officials next following the approval of a referendum  
23       under Section 22-10, then the compensation for that official  
24       shall be equal to the lowest compensation for the same office  
25       between the separate townships in the previous calendar year.

26       (d) The separate townships shall not incur any additional

1 debt without the approval of the Transition Township Board. For  
2 purposes of this Section, "debt" shall have the meaning  
3 ascribed to that term in Section 23-5.

4 (e) Section 3-7 of the Election Code shall govern those  
5 individuals entitled to caucus, vote for, be nominated for, and  
6 run for offices for the consolidated township at the  
7 consolidated election of township officials next following the  
8 approval of a referendum under Section 22-10.

9 (60 ILCS 1/22-20 new)

10 Sec. 22-20. Consolidated township.

11 (a) On the third Monday of May of the year in which  
12 township officials are elected following the approval of a  
13 referendum under Section 22-10, the following shall occur:

14 (1) the separate townships cease and the consolidated  
15 township is created;

16 (2) all rights, powers, duties, assets, and property,  
17 together with all personnel, contractual obligations,  
18 other obligations, responsibilities, and liabilities of  
19 the separate townships are transferred to the consolidated  
20 township; those rights include, but are not limited to, the  
21 authority to continue to collect, receive, and expend the  
22 proceeds of any tax levied by any of the separate townships  
23 prior to the creation of the consolidated township without  
24 an additional ordinance, resolution, or referendum; the  
25 proceeds of any tax levied by any of the separate townships

1 prior to the creation of the consolidated township shall be  
2 expended or disposed of by the consolidated township in the  
3 same manner as such assessments might have been expended or  
4 disposed of by the separate townships; however, if the  
5 consolidated township board determines that there is a  
6 surplus in the fund for general township purposes on  
7 December 31 of the calendar year in which the consolidation  
8 occurs, then any portion of the surplus that is solely  
9 attributable to the consolidation shall be refunded to the  
10 owners of record of taxable property within the  
11 consolidated district on a pro rata basis; and

12 (3) road districts located within the separate  
13 townships are abolished.

14 (b) When a new township is created, a new road district  
15 encompassing the consolidated township is created. All the  
16 rights, powers, duties, assets, property, liabilities,  
17 obligations, and responsibilities of the separate road  
18 districts shall vest in and be assumed by the new road district  
19 as provided for in the resolutions adopted under Section 22-5.  
20 The new township board of trustees shall exercise the taxing  
21 authority of a road district abolished under this Section. The  
22 highway commissioners of the abolished road districts shall  
23 cease to hold office on the date the road district is  
24 abolished. The new township board shall exercise all duties and  
25 responsibilities of the highway commissioner as provided in the  
26 Illinois Highway Code. For purposes of distribution of revenue,



1 the new township shall assume the powers, duties, and  
2 obligations of the road district of the dissolving road  
3 district. The new township board may enter into a contract with  
4 the county, a municipality, or a private contractor to  
5 administer the roads under the new road district.

6 (c) When a township consolidates into an existing township,  
7 all the rights, powers, duties, assets, property, liabilities,  
8 obligations, and responsibilities of the abolished road  
9 districts shall vest in and be assumed by the existing  
10 township's road district as provided for in the resolutions  
11 adopted under Section 22-5. The consolidated township board of  
12 trustees shall exercise the taxing authority of a road district  
13 abolished under this Section. Highway commissioners of the  
14 abolished road districts shall cease to hold office on the date  
15 the road district is abolished. The consolidated township shall  
16 exercise all duties and responsibilities of the highway  
17 commissioner as provided in the Illinois Highway Code. For  
18 purposes of distribution of revenue, the existing township's  
19 road district or districts shall assume the powers, duties, and  
20 obligations of the road district of the dissolving road  
21 district.

22 (60 ILCS 1/Art. 23 heading new)

23 ARTICLE 23. MERGER OF A SINGLE  
24 TOWNSHIP INTO TWO OTHER TOWNSHIPS

1 (60 ILCS 1/23-5 new)

2 Sec. 23-5. Definitions. As used in this Article:

3 "Dissolving road district" means a road district in a  
4 dissolving township, which is dissolved under subsection (c) of  
5 Section 23-25.

6 "Dissolving township" means a township which is proposed to  
7 be dissolved into and be merged with 2 other adjacent  
8 townships.

9 "Equalized assessed value" has the meaning provided in  
10 Section 18-213 of the Property Tax Code.

11 "Debt" means indebtedness incurred by a dissolving  
12 township including, but not limited to, mortgages, judgments,  
13 and moneys due through the issuance and sale of bonds, or  
14 through an equivalent manner of borrowing for which notes or  
15 other evidences of indebtedness are issued fixing the amount of  
16 principal and interest from time to time payable to retire the  
17 indebtedness.

18 "Receiving township" means a township into which a portion  
19 of the dissolving township will be merged.

20 (60 ILCS 1/23-10 new)

21 Sec. 23-10. Resolution for merger; notice.

22 (a) Notwithstanding any other provision of law to the  
23 contrary, the township boards of any 3 adjacent townships may,  
24 by identical resolutions of each board, propose that a township  
25 which borders the other 2 townships be dissolved by referendum

1 and all rights, powers, duties, assets, and property, together  
2 with all personnel, contractual obligations, other  
3 obligations, responsibilities, and liabilities of the  
4 dissolving township transferred to the receiving townships.  
5 Each resolution shall include, but is not limited to, the  
6 following:

7 (1) a legal description of the former territory of the  
8 dissolving township each receiving township will take upon  
9 the dissolution of the dissolving township;

10 (2) a description of how all assets and property,  
11 together with all personnel, contractual obligations,  
12 other obligations, responsibilities, and liabilities of  
13 the dissolving township will be transferred to the  
14 receiving townships;

15 (3) the tax rates for general township purposes for the  
16 immediately preceding levy year, as extended and collected  
17 in the year in which the resolution is adopted, for the  
18 dissolving township and each receiving township;

19 (4) a description and amount of all debt each receiving  
20 township shall assume after the dissolving township  
21 dissolves. The debt shall be assumed by each receiving  
22 township in equal proportion to the equalized assessed  
23 value of the land and property that will be received by  
24 each receiving township from the dissolving township  
25 unless otherwise agreed to in the resolutions;

26 (5) a description of how each road district or road

1 districts of a dissolving township shall comply with  
2 subsection (c) of Section 23-25; and

3 (6) the date of the general election at which the  
4 referendum shall be held.

5 All resolutions shall be passed not less than 79 days  
6 before the general election stated in the resolutions.

7 (b) Before passing a resolution under this Section, each  
8 township board shall hold a public hearing on those matters  
9 after notice of the hearing has been published in a newspaper  
10 having a general circulation in the townships affected. The  
11 notice shall be published at least 30 days before the date of  
12 the hearing. The notice shall contain, at a minimum, the name  
13 of the dissolving township and receiving townships and a  
14 description of the area each receiving township will receive  
15 from the dissolving township.

16 (60 ILCS 1/23-15 new)

17 Sec. 23-15. Referendum and notices.

18 (a) Upon the adoption of resolutions under Section 23-10 by  
19 all townships, the township boards shall certify the question  
20 to the election authority and the authority shall cause to be  
21 submitted to the voters of all townships at the general  
22 election specified in the resolutions a referendum to  
23 consolidate the townships. The referendum shall be  
24 substantially in the following form:

25 Shall (name of dissolving township) be dissolved into

1 (names of receiving townships)?

2 The votes shall be recorded as "Yes" or "No". The  
3 referendum is approved when a majority of the voters, in each  
4 of the affected townships, approve the referendum.

5 (b) Before a referendum appears on the ballot under  
6 subsection (a), the township boards shall publish a copy of the  
7 adopted resolution in a newspaper having a general circulation  
8 in each of the townships affected. The notice shall be  
9 published at least 30 days before the date of the general  
10 election.

11 Each township board shall additionally mail a copy of the  
12 adopted resolution, along with a copy of the referendum  
13 language and a list of all taxes levied for general township  
14 purposes in the affected townships, to every registered voter  
15 in each township affected. The notice shall be mailed at least  
16 30 days before the date of the general election in which the  
17 referendum will appear.

18 (60 ILCS 1/23-20 new)

19 Sec. 23-20. Transition.

20 (a) Notwithstanding any other provision of law to the  
21 contrary, upon the approval of a referendum under Section  
22 23-15:

23 (1) there shall be no further nominations or elections  
24 for clerks, assessors, collectors, highway commissioners,  
25 supervisors, or trustees of the dissolving township or

1 highway commissions and the terms of all such officers  
2 currently serving shall continue until the third Monday of  
3 May of the year in which township officials are elected  
4 following the approval of a referendum under Section 23-15;

5 (2) a Transition Township Board is formed for each  
6 receiving township. Each Transition Township Board shall  
7 be composed of the members of the dissolving township  
8 boards plus the members of the receiving township board.  
9 The Transition Township Board shall only have authority to  
10 do the following under paragraphs (3) and (4) of this  
11 Section: provide for the compensation for all receiving  
12 township officials that will be elected at the consolidated  
13 election next following the approval of a referendum under  
14 Section 23-15; and approving additional debt to be taken on  
15 by the dissolving township;

16 (3) each Transition Township Board shall hold a public  
17 meeting no later than the first Tuesday in April before the  
18 receiving townships' boards of trustees are elected at the  
19 consolidated election next following the approval of a  
20 referendum under Section 23-15. At this public meeting, the  
21 Transition Township Board shall provide for the  
22 compensation for all township officials that will be  
23 elected at the consolidated election. If the Board cannot  
24 agree on the compensation for an official, then the  
25 compensation for the same office between the receiving and  
26 dissolving townships shall be the lower compensation for

1 the office in the dissolving township or receiving  
2 township;

3 (4) the dissolving township shall not incur any  
4 additional debt without the approval of the Transition  
5 Township Board of each receiving township that would assume  
6 such debt after dissolution of the dissolving township; and

7 (5) Section 3-7 of the Election Code shall govern those  
8 individuals entitled to caucus, vote for, be nominated for,  
9 and run for offices for the receiving townships at the  
10 consolidated election of township officials next following  
11 the approval of a referendum under Section 23-15.

12 (b) Upon the approval of a referendum under Section 23-15,  
13 the receiving townships may enter into an intergovernmental  
14 agreement under the Intergovernmental Cooperation Act for any  
15 lawful purpose relating to the land or property contained in  
16 the dissolving township after the township is dissolved.

17 (60 ILCS 1/23-25 new)

18 Sec. 23-25. Merged township. On the third Monday of May of  
19 the year in which township officials are elected following the  
20 approval of a referendum under Section 23-15, the following  
21 shall occur:

22 (a) The dissolving township ceases.

23 (b) All rights, powers, duties, assets, and property,  
24 together with all personnel, contractual obligations,  
25 other obligations, responsibilities, and liabilities of

1 the dissolving township are transferred to the receiving  
2 townships as provided in the resolution adopted under  
3 Section 23-10. The rights include, but are not limited to,  
4 the authority to continue to collect and receive any tax  
5 levied prior to the creation of the merged townships  
6 without an additional ordinance, resolution, or  
7 referendum.

8 (c) Road districts located within the dissolving  
9 township are abolished and all the rights, powers, duties,  
10 assets, property, liabilities, obligations, and  
11 responsibilities of the dissolving road districts shall  
12 vest in and be assumed by the receiving townships' road  
13 districts as provided for in the resolutions adopted under  
14 Section 23-10; the boards of trustees of the receiving  
15 townships shall exercise the taxing authority of a road  
16 district dissolved under this Section and shall exercise  
17 all duties and responsibilities of the highway  
18 commissioner as provided in the Illinois Highway Code  
19 unless a road district in the receiving township has a  
20 highway commissioner who shall assume all duties and  
21 responsibilities of the highway commissioner of the  
22 dissolving road districts if so resolved by the receiving  
23 township board; highway commissioners of the dissolving  
24 road districts shall cease to hold office on the date the  
25 road district is abolished; and for purposes of  
26 distribution of revenue, the receiving townships' road



1       districts, or the township board if no road districts  
2       exist, shall assume the powers, duties, and obligations of  
3       the dissolving road district.

4           (60 ILCS 1/25-15)

5       Sec. 25-15. Selection of county governing body; election  
6       ~~Election of county commissioners.~~ When township organization  
7       ceases in any county as provided in this Article, the county  
8       board may by ordinance or resolution restructure into a  
9       commission form of government on or before 180 days after a  
10       township organization ceases. If the county board votes to  
11       assume a commission form of government, an election shall be  
12       held in the county at the next general election in an  
13       even-numbered year for 3 county commissioners who shall hold  
14       office for 2, 4, and 6 years, respectively, and until their  
15       successors are elected and qualified. Terms shall be determined  
16       by lot. At each succeeding general election after the first,  
17       one commissioner shall be elected.

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

19           (60 ILCS 1/25-25)

20       Sec. 25-25. Disposal of township records and property. When  
21       township organization is discontinued in any county, the  
22       records of the several townships shall be deposited in the  
23       county clerk's office. The county board or board of county  
24       commissioners of the county may close up all unfinished

1 business of the several townships and sell or ~~and~~ dispose of  
2 any of the property belonging to a township for the benefit of  
3 the inhabitants of the township, as fully as might have been  
4 done by the townships themselves. The county board or board of  
5 county commissioners may pay all the indebtedness of any  
6 township existing at the time of the discontinuance of township  
7 organization and cause the amount of the indebtedness, or so  
8 much as may be necessary, to be levied upon the property of the  
9 township.

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

11 (60 ILCS 1/Art. 29 heading new)

12 ARTICLE 29. DISCONTINUANCE OF  
13 TOWNSHIP WITHIN COTERMINOUS  
14 MUNICIPALITY: ALL TOWNSHIPS

15 (60 ILCS 1/29-5 new)

16 Sec. 29-5. Resolutions to discontinue and abolish a  
17 township. The township board and the corporate authorities of a  
18 coterminous, or substantially coterminous, municipality may by  
19 resolutions of the board and corporate authorities, and after  
20 referendum of the voters of the township and municipality: (1)  
21 discontinue and abolish the township; (2) transfer all the  
22 rights, powers, duties, assets, property, liabilities,  
23 obligations, and responsibilities of the township to the  
24 municipality; and (3) cease and dissolve all township road

1 districts with the district's jurisdiction and authority  
2 transferred to the municipality upon the dissolution of the  
3 township.

4 (60 ILCS 1/29-10 new)

5 Sec. 29-10. Notice.

6 (a) Before passing resolutions under Section 29-5, the  
7 township board and the corporate authorities of the  
8 municipality shall hold public hearings on those matters after  
9 notice of the hearing has been published in a newspaper having  
10 general circulation in the township and municipality. The  
11 notice shall be published at least 30 days before the date of  
12 the hearing.

13 (b) Before a referendum is placed on the ballot under  
14 Section 29-15, each township board shall publish a copy of the  
15 resolution adopted under Section 29-5 in a newspaper of general  
16 circulation in the township and municipality affected. The  
17 notice shall be published at least 30 days before the date of  
18 the general election in which the referendum will appear.

19 Each township board shall additionally mail a copy of the  
20 adopted resolution, along with a copy of the referendum  
21 language, the date the referendum will appear, and a list of  
22 all taxes levied in the affected townships, to every registered  
23 voter in each township affected. The notice shall be mailed at  
24 least 30 days before the date of the election in which the  
25 referendum will appear.

1 (60 ILCS 1/29-15 new)

2 Sec. 29-15. Referendum for cessation of township. Upon the  
3 adoption of resolutions under Section 29-5 by both the township  
4 and municipality, the township board and corporate authorities  
5 of the municipality shall certify the question to the election  
6 authority and the authority shall cause to be submitted to the  
7 voters of the township and municipality at the next election a  
8 referendum to discontinue the township and to transfer all the  
9 rights, powers, duties, assets, property, liabilities,  
10 obligations, and responsibilities of the township to the  
11 municipality. The referendum shall be substantially in the  
12 following form:

13 Shall the township of (name of township) Township  
14 cease?

15 The votes shall be recorded as "Yes" or "No". The  
16 referendum is approved when a majority of the voters, in both  
17 the township and municipality, approve the referendum.

18 If the referendum is approved there shall be no further  
19 nominations or elections for clerks, assessors, collectors,  
20 highway commissioners, supervisors, or trustees of the  
21 township or highway commission, and the terms of all such  
22 officers currently serving shall continue until the third  
23 Monday of May of the year of the consolidated election in which  
24 township officials are elected next following the approval of a  
25 referendum under this Section.

1 (60 ILCS 1/29-20 new)

2 Sec. 29-20. Cessation of township. On the third Monday in  
3 May in the year of the consolidated election in which township  
4 officials are elected next following the approval of a  
5 referendum under Section 29-15:

6 (1) the township is discontinued and abolished and all  
7 the rights, powers, duties, assets, property, liabilities,  
8 obligations, and responsibilities of the township shall  
9 vest in and be assumed by the municipality, including the  
10 authority to levy property taxes for township purposes in  
11 the same manner as the dissolved township without an  
12 additional ordinance, resolution, or referendum;

13 (2) all township officers shall cease to hold office;

14 (3) the municipality shall exercise all duties and  
15 responsibilities of the township officers as provided in  
16 the Township Code, the Illinois Public Aid Code, the  
17 Property Tax Code, and the Illinois Highway Code, as  
18 applicable. The municipality may enter into an  
19 intergovernmental agreement with the county or the State to  
20 administer the duties and responsibilities of the township  
21 officers for services under its jurisdiction; and

22 (4) any road district located within the township is  
23 abolished and its jurisdiction, rights, powers, duties,  
24 assets, property, liabilities, obligations, and  
25 responsibilities shall vest in and be assumed by the

1 municipality and the highway commissioner of the abolished  
2 road district shall cease to hold office. The corporate  
3 authorities of the municipality shall: exercise the taxing  
4 authority of a road district abolished under this Section;  
5 exercise all duties and responsibilities of the highway  
6 commissioner as provided in the Illinois Highway Code; and  
7 for purposes of distribution of revenue, assume the powers,  
8 duties, and obligations of the road district in the  
9 discontinued township. The corporate authorities of a  
10 municipality may enter into an intergovernmental agreement  
11 or a contract with the county, another municipality, or a  
12 private contractor to administer the roads which were under  
13 the jurisdiction of the abolished road district.

14 (60 ILCS 1/29-25 new)

15 Sec. 29-25. Business, records, and property of  
16 discontinued township. The records of a township discontinued  
17 under this Article shall be deposited in the municipality's  
18 city clerk's office. The municipality may close up all  
19 unfinished business of the township and sell and dispose of any  
20 of the property belonging to the township for benefit of the  
21 inhabitants of the municipality.

22 (60 ILCS 1/65-20)

23 Sec. 65-20. Road district treasurer; new township;  
24 multi-township officers.

1 (a) Compensation of township officers shall be set by the  
2 township board at least 180 days before the beginning of the  
3 terms of officers, including compensation of the road district  
4 treasurer, which shall be not less than \$100 or more than  
5 \$1,000 per year. Compensation of a township assessor and  
6 collector shall be set at the same time as the compensation of  
7 the township supervisor. Compensation of a multi-township  
8 assessor shall be set at least 150 days before his or her  
9 election.

10 (b) The compensation to be paid to each officer in a new  
11 township established under Section 10-25 shall be determined  
12 under this Section by the township board of the township the  
13 whole or a part of which comprises the new township and that  
14 has the highest equalized assessed valuation (as of December  
15 31, 1972) of the old townships that comprise the new township.

16 (c) At least 150 days before the election of multi-township  
17 officers, the multi-township board may establish additional  
18 pay of those board members for their services in an amount not  
19 to exceed \$25 per day for each day of services.

20 (d) For the first term of a township consolidated or merged  
21 under Article 22 or 23, compensation for township officers of  
22 the consolidated or merged township shall be set by the  
23 Transition Township Board no later than the first day in April  
24 before the consolidated election at which the township officers  
25 are to be elected.

26 (Source: P.A. 90-210, eff. 7-25-97.)

1           Section 25. The Illinois Highway Code is amended by  
2 changing Section 6-130 and by adding Section 6-130.5 as  
3 follows:

4           (605 ILCS 5/6-130) (from Ch. 121, par. 6-130)

5           Sec. 6-130. Mandatory and permissive road district  
6 abolishment.

7           (a) Notwithstanding any other provision of this Act to the  
8 contrary, no township road district may continue in existence  
9 if the roads forming a part of the district do not exceed a  
10 total of 4 miles in length as determined by the county engineer  
11 or county superintendent of highways. ~~For purposes of this~~  
12 ~~Section, the roads forming a part of a township road district~~  
13 ~~include those roads maintained by the district, regardless of~~  
14 ~~whether or not those roads are owned by the township.~~ On the  
15 first Tuesday in April of 1975, or of any subsequent year next  
16 succeeding the reduction of a township road system to a total  
17 mileage of 4 miles or less, each such township road district  
18 shall, by operation of law, be abolished. The roads comprising  
19 that district at that time shall thereafter be administered by  
20 the township board of trustees by contracting with the county,  
21 a municipality or a private contractor. The township board of  
22 trustees shall assume all taxing authority of a township road  
23 district abolished under this Section.

24           (b) Notwithstanding any provision of law to the contrary, a



1 township road district may be abolished as provided in Section  
2 6-130.5 of this Act, if the roads forming part of the district  
3 are less than a total of 15 miles in length.

4 (Source: P.A. 94-884, eff. 6-20-06.)

5 (605 ILCS 5/6-130.5 new)

6 Sec. 6-130.5. Abolishing a road district with less than 15  
7 miles of roads.

8 (a) Any township may abolish a road district of that  
9 township if the roads of the district of that township are less  
10 than 15 miles in length, as determined by the county engineer  
11 or county superintendent of highways, by resolution of a  
12 majority of the board of trustees to submit a referendum to  
13 abolish the road district of that township. The referendum  
14 shall be submitted to the electors of that township at the next  
15 general election or consolidated election in accordance with  
16 the general election law. The ballot shall be in substantially  
17 the following form:

18 -----  
19 Shall the Road District of the Township of  
20 ..... be abolished with all the rights,  
21 powers, duties, assets, property, liabilities, YES  
22 obligations, and responsibilities being assumed -----  
23 by the Township of ..... ? NO  
24 -----

25 (b) If a majority of the electors voting on the referendum

1 under subsection (a) of this Section are in favor of abolishing  
2 the township road district, then the road district is abolished  
3 on the January 1 following the approval of the resolution or  
4 referendum.

5 On the date of abolishment: all the rights, powers, duties,  
6 assets, property, liabilities, obligations, and  
7 responsibilities of the road district shall by operation of law  
8 vest in and be assumed by the township; the township board of  
9 trustees shall assume all taxing authority of a road district  
10 abolished under this Section; any highway commissioner of the  
11 abolished road district shall cease to hold office; the  
12 township shall exercise all duties and responsibilities of the  
13 highway commissioner as provided in the Illinois Highway Code;  
14 and for purposes of distribution of revenue, the township shall  
15 assume the powers, duties, and obligations of the road  
16 district. The township board of trustees may enter into a  
17 contract with the county, a municipality, or a private  
18 contractor to administer the roads added to its jurisdiction  
19 under this Section.

20 Section 99. Effective date. This Act takes effect January  
21 1, 2018.

1 INDEX

2 Statutes amended in order of appearance

- 3 10 ILCS 5/3-7 new
- 4 10 ILCS 5/28-1 from Ch. 46, par. 28-1
- 5 55 ILCS 5/Div. 2-4 heading
- 6 55 ILCS 5/2-4006
- 7 55 ILCS 5/5-44010
- 8 55 ILCS 5/5-44020
- 9 55 ILCS 5/5-44043 new
- 10 60 ILCS 1/10-25
- 11 60 ILCS 1/Art. 22 heading
- 12 new
- 13 60 ILCS 1/22-5 new
- 14 60 ILCS 1/22-10 new
- 15 60 ILCS 1/22-15 new
- 16 60 ILCS 1/22-20 new
- 17 60 ILCS 1/Art. 23 heading
- 18 new
- 19 60 ILCS 1/23-5 new
- 20 60 ILCS 1/23-10 new
- 21 60 ILCS 1/23-15 new
- 22 60 ILCS 1/23-20 new
- 23 60 ILCS 1/23-25 new
- 24 60 ILCS 1/25-15
- 25 60 ILCS 1/25-25

1 60 ILCS 1/Art. 29 heading

2 new

3 60 ILCS 1/29-5 new

4 60 ILCS 1/29-10 new

5 60 ILCS 1/29-15 new

6 60 ILCS 1/29-20 new

7 60 ILCS 1/29-25 new

8 60 ILCS 1/65-20

9 70 ILCS 605/10-12 new

10 605 ILCS 5/6-130 from Ch. 121, par. 6-130

11 605 ILCS 5/6-130.5 new