



Rep. Sam Yingling

Filed: 5/29/2017

10000SB0003ham001

LRB100 06370 AMC 27197 a

1 AMENDMENT TO SENATE BILL 3

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

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

1 are elected next following the certification of a successful
2 referendum to dissolve a township and merge its territory into
3 2 adjacent townships under Article 23 of the Township Code, the
4 qualified electors entitled to caucus, vote for, be nominated
5 for, and run for offices in a receiving township shall also
6 include those registered voters residing in the territory of
7 the dissolving township described in the resolutions adopted
8 under Section 23-10 of the Township Code as the territory to be
9 merged with the receiving township. For purposes of this
10 subsection (b) only, "dissolving township" and "receiving
11 township" have the meaning provided in Section 23-5 of the
12 Township Code.

13 (10 ILCS 5/28-1) (from Ch. 46, par. 28-1)

14 Sec. 28-1. The initiation and submission of all public
15 questions to be voted upon by the electors of the State or of
16 any political subdivision or district or precinct or
17 combination of precincts shall be subject to the provisions of
18 this Article.

19 Questions of public policy which have any legal effect
20 shall be submitted to referendum only as authorized by a
21 statute which so provides or by the Constitution. Advisory
22 questions of public policy shall be submitted to referendum
23 pursuant to Section 28-5 or pursuant to a statute which so
24 provides.

25 The method of initiating the submission of a public

1 question shall be as provided by the statute authorizing such
2 public question, or as provided by the Constitution.

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

7 Whenever a statute provides for the initiation of a public
8 question by a petition of electors, the provisions of such
9 statute shall govern with respect to the number of signatures
10 required, the qualifications of persons entitled to sign the
11 petition, the contents of the petition, the officer with whom
12 the petition must be filed, and the form of the question to be
13 submitted. If such statute does not specify any of the
14 foregoing petition requirements, the corresponding petition
15 requirements of Section 28-6 shall govern such petition.

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

1 If more than 3 propositions are timely initiated or
2 certified for submission at an election with respect to a
3 political subdivision, the first 3 validly initiated, by the
4 filing of a petition or by the adoption of a resolution or
5 ordinance of a political subdivision, as the case may be, shall
6 be printed on the ballot and submitted at that election.
7 However, except as expressly authorized by law not more than
8 one proposition to change the form of government of a
9 municipality pursuant to Article VII of the Constitution may be
10 submitted at an election. If more than one such proposition is
11 timely initiated or certified for submission at an election
12 with respect to a municipality, the first validly initiated
13 shall be the one printed on the ballot and submitted at that
14 election.

15 No public question shall be submitted to the voters of a
16 political subdivision at any regularly scheduled election at
17 which such voters are not scheduled to cast votes for any
18 candidates for nomination for, election to or retention in
19 public office, except that if, in any existing or proposed
20 political subdivision in which the submission of a public
21 question at a regularly scheduled election is desired, the
22 voters of only a portion of such existing or proposed political
23 subdivision are not scheduled to cast votes for nomination for,
24 election to or retention in public office at such election, but
25 the voters in one or more other portions of such existing or
26 proposed political subdivision are scheduled to cast votes for

1 nomination for, election to or retention in public office at
2 such election, the public question shall be voted upon by all
3 the qualified voters of the entire existing or proposed
4 political subdivision at the election.

5 Not more than 3 advisory public questions may be submitted
6 to the voters of the entire state at a general election. If
7 more than 3 such advisory propositions are initiated, the first
8 3 timely and validly initiated shall be the questions printed
9 on the ballot and submitted at that election; provided however,
10 that a question for a proposed amendment to Article IV of the
11 Constitution pursuant to Section 3, Article XIV of the
12 Constitution, or for a question submitted under the Property
13 Tax Cap Referendum Law, shall not be included in the foregoing
14 limitation.

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

16 Section 10. The Counties Code is amended by changing the
17 heading of Division 2-4, by changing Sections 2-4006, 5-44010,
18 5-44020, and by adding Section 5-44043 as follows:

19 (55 ILCS 5/Div. 2-4 heading)

20 Division 2-4. Counties not under
21 Township Organization
22 Organized as a Commission
23 Form of Government

1 (55 ILCS 5/2-4006)

2 Sec. 2-4006. Terms of commissioners.

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

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

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

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

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

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

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

26 (d) The provisions of this Section do not apply to

1 commissioners elected under Section 2-4006.5 of this Code.

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

3 (55 ILCS 5/5-44010)

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

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

9 (55 ILCS 5/5-44020)

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

11 "Fire protection jurisdiction" means a fire protection
12 district, municipal fire department, or service organized
13 under Section 5-1056.1 of the Counties Code, Sections 195 and
14 200 of the Township Code, Section 10-2.1 of the Illinois
15 Municipal Code, or the Illinois Fire Protection District Act.

16 "Governing board" means the individual or individuals who
17 constitute the corporate authorities of a unit of local
18 government.

19 "Unit of local government" or "unit" means any unit of
20 local government located entirely within one county, to which
21 the county board chairman or county executive directly appoints
22 a majority of its governing board with the advice and consent
23 of the county board, but shall not include a fire protection
24 district that directly employs any regular full-time

1 employees, a conservation district organized under the
2 Conservation District Act, ~~or~~ a special district organized
3 under the Water Commission Act of 1985, a community mental
4 health board established under the Community Mental Health
5 Board Act, or a board established under the County Care for
6 Persons with Developmental Disabilities Act.

7 (Source: P.A. 98-126, eff. 8-2-13; 98-756, eff. 7-16-14;
8 99-709, eff. 8-5-16.)

9 (55 ILCS 5/5-44043 new)

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

11 (a) The status and rights of employees represented by an
12 exclusive bargaining representative shall not be affected by
13 the dissolution of a unit of local government under this
14 Division, except that this subsection does not apply in DuPage,
15 Lake, and McHenry Counties for actions taken before the
16 effective date of this amendatory Act of the 100th General
17 Assembly.

18 (b) Obligations of the dissolving unit of local government
19 assumed by the trustee-in-dissolution, county, or governing
20 body of a special service area include the obligation to honor
21 representation rights under the Illinois Public Labor
22 Relations Act and any collective bargaining agreements
23 existing on the date of dissolution of the unit of local
24 government.

25 (c) The rights of employees under any pensions, retirement

1 plans, or annuity plans existing on the date of dissolution of
2 the unit of local government are not affected by the
3 dissolution of a unit of local government under this Division.

4 Section 15. The Township Code is amended by adding Articles
5 22, 23, and 29 and by changing Sections 10-25, 25-15, 25-25,
6 and 65-20 as follows:

7 (60 ILCS 1/10-25)

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

9 (a) The county board of each county may, subject to a
10 referendum in the townships affected as provided in this
11 Section, adopt a plan for altering the boundaries of townships,
12 changing township lines, dividing, enlarging, or consolidating
13 townships, or creating new townships, so that each township
14 shall possess an equalized assessed valuation of not less than
15 \$10,000,000 as of the 1982 assessment year ~~or an area of not~~
16 ~~more than 126 square miles.~~

17 (b) No alteration or change in boundaries shall be
18 effective unless approved by a referendum in each township
19 affected. The election authority shall submit to the voters of
20 each township affected, at a regular election to be held not
21 less than 60 days after the plan is adopted, the question of
22 approving the alteration or change. The alterations or changes,
23 if approved by the voters, shall take effect on the date of the
24 next township election and shall be applicable to that

1 election. If there is doubt as to the township clerk with whom
2 nomination papers for that election should be filed, the county
3 board shall designate the clerk. In the alteration of
4 boundaries, a county board may not disturb urban or coterminous
5 townships in existence on October 1, 1978.

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

7 (60 ILCS 1/Art. 22 heading new)

8 ARTICLE 22. CONSOLIDATION OF
9 MULTIPLE TOWNSHIPS

10 (60 ILCS 1/22-5 new)

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

12 (a) Notwithstanding any other provision of law to the
13 contrary, the township boards of any 2 or more adjacent
14 townships may, by identical resolutions of each board, propose
15 consolidation by referendum: (i) into a new township; or (ii)
16 into an existing township. Each resolution shall include, but
17 is not limited to, the following:

18 (1) the name of the proposed new consolidated township
19 or the name of the existing township into which all
20 townships will be consolidated;

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

1 (3) the names of all townships that will be
2 consolidating and a description of the area of
3 consolidation; and

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

6 All resolutions shall be passed not less than 79 days
7 before the general election stated in the resolutions. For
8 purposes of this Section, 3 or more townships are adjacent when
9 each township shares a boundary with at least one of the other
10 townships which are to be consolidated.

11 (b) Before passing a resolution under subsection (a), each
12 township board shall hold a public hearing on those matters
13 after notice of the hearing has been published on the main page
14 of the townships' websites, if any, and in a newspaper having a
15 general circulation in the townships affected. The notice shall
16 be published at least 30 days before the date of the hearing.
17 The notice shall contain, at a minimum, the name of all
18 townships that will be consolidating and a description of the
19 area of consolidation.

20 (60 ILCS 1/22-10 new)

21 Sec. 22-10. Referendum.

22 (a) Upon the adoption of resolutions under Section 22-5 by
23 each township, the township boards shall certify the question
24 to the election authority and the authority shall cause to be
25 submitted to the voters of each township at the general

1 election specified in the resolutions a referendum to
2 consolidate the townships. The referendum shall be
3 substantially in the following form:

4 Shall (names of townships) be consolidated into [a new
5 township called (name of proposed consolidated
6 township)/the township of (name of existing township)]?

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

8 The referendum is approved when a majority of the voters,
9 in each of the affected townships, approve the referendum.

10 (b) Before a referendum appears on the ballot under
11 subsection (a), each township board shall publish a copy of the
12 adopted resolution on the main page of the townships' websites,
13 if any, and in a newspaper having a general circulation in each
14 of the townships affected. The notice shall be published at
15 least 30 days before the date of the general election in which
16 the referendum will appear.

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

24 (c) Notwithstanding any provision of law to the contrary,
25 no tax rate may be extended for any fund of the consolidated
26 district for the first levy year of the consolidated district

1 that exceeds any statutory maximum set forth for that fund,
2 unless the referendum also conforms to the requirements of the
3 Property Tax Extension Limitation Law or other statutory
4 provision setting forth that limitation.

5 (60 ILCS 1/22-15 new)

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

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

16 (b) A Transition Township Board is formed and is composed
17 of the members of the separate townships boards. The Transition
18 Township Board has only the following powers: (1) to propose
19 and approve the compensation of all officials of the
20 consolidated township that will be elected at the consolidated
21 election next following the passage of the referendum under
22 Section 22-10; and (2) to propose and approve additional debt
23 to be taken on by any of the separate townships.

24 (c) The Transition Township Board shall hold a public
25 hearing no later than the last Tuesday in December before the

1 consolidated township board of trustees are elected next
2 following the approval of a referendum under Section 22-10. If
3 the Board cannot agree on the compensation for an official by
4 the first Tuesday in April before the consolidated election of
5 township officials next following the approval of a referendum
6 under Section 22-10, then the compensation for that official
7 shall be equal to the lowest compensation for the same office
8 between the separate townships in the preceding calendar year.

9 (d) The separate townships shall not incur any additional
10 debt without the approval of the Transition Township Board. For
11 purposes of this Section, "debt" has the meaning ascribed to
12 that term in Section 23-5.

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

18 (60 ILCS 1/22-20 new)

19 Sec. 22-20. Consolidated township.

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

23 (1) the separate townships cease and the consolidated
24 township is created;

25 (2) all rights, powers, duties, assets, and property,

1 together with all personnel, contractual obligations,
2 other obligations, responsibilities, and liabilities of
3 the separate townships are transferred to the consolidated
4 township; those rights include, but are not limited to, the
5 authority to continue to collect, receive, and expend the
6 proceeds of any tax levied by any of the separate townships
7 prior to the creation of the consolidated township without
8 an additional ordinance, resolution, or referendum; the
9 proceeds of any tax levied by any of the separate townships
10 prior to the creation of the consolidated township shall be
11 expended or disposed of by the consolidated township in the
12 same manner as such assessments might have been expended or
13 disposed of by the separate townships; however, if the
14 consolidated township board determines that there is a
15 surplus in the fund for general township purposes on
16 December 31 of the calendar year in which the consolidation
17 occurs, then any portion of the surplus that is solely
18 attributable to the consolidation shall be refunded to the
19 owners of record of taxable property within the
20 consolidated district on a pro rata basis; and

21 (3) road districts located within the separate
22 townships are abolished.

23 (b) When a new township is created, a new road district
24 encompassing the consolidated township is created. All the
25 rights, powers, duties, assets, property, liabilities,
26 obligations, and responsibilities of the separate road

1 districts shall vest in and be assumed by the new road district
2 as provided for in the resolutions adopted under Section 22-5.
3 The new township board of trustees shall exercise the taxing
4 authority of a road district abolished under this Section. The
5 highway commissioners of the abolished road districts shall
6 cease to hold office on the date the road district is
7 abolished. The new township board shall exercise all duties and
8 responsibilities of the highway commissioner as provided in the
9 Illinois Highway Code. For purposes of distribution of revenue,
10 the new township shall assume the powers, duties, and
11 obligations of the road district of the dissolving road
12 district. The new township board may enter into a contract with
13 the county, a municipality, or a private contractor to
14 administer the roads under the new road district.

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

1 purposes of distribution of revenue, the existing township's
2 road district or districts shall assume the powers, duties, and
3 obligations of the road district of the dissolving road
4 district.

5 (60 ILCS 1/Art. 23 heading new)

6 ARTICLE 23. MERGER OF A SINGLE
7 TOWNSHIP INTO 2 OTHER TOWNSHIPS

8 (60 ILCS 1/23-5 new)

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

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

13 "Dissolving township" means a township which is proposed to
14 be dissolved into and be merged with 2 other adjacent
15 townships.

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

18 "Debt" means indebtedness incurred by a dissolving
19 township including, but not limited to, mortgages, judgments,
20 and moneys due through the issuance and sale of bonds, or
21 through an equivalent manner of borrowing for which notes or
22 other evidences of indebtedness are issued fixing the amount of
23 principal and interest from time to time payable to retire the
24 indebtedness.

1 "Receiving township" means a township into which a portion
2 of the dissolving township will be merged.

3 (60 ILCS 1/23-10 new)

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

5 (a) Notwithstanding any other provision of law to the
6 contrary, the township boards of any 3 adjacent townships may,
7 by identical resolutions of each board, propose that a township
8 which borders the other 2 townships be dissolved by referendum
9 and all rights, powers, duties, assets, and property, together
10 with all personnel, contractual obligations, other
11 obligations, responsibilities, and liabilities of the
12 dissolving township transferred to the receiving townships.
13 Each resolution shall include, but is not limited to, the
14 following:

15 (1) a legal description of the former territory of the
16 dissolving township each receiving township will take upon
17 the dissolution of the dissolving township;

18 (2) a description of how all assets and property,
19 together with all personnel, contractual obligations,
20 other obligations, responsibilities, and liabilities of
21 the dissolving township will be transferred to the
22 receiving townships;

23 (3) the tax rates for general township purposes for the
24 immediately preceding levy year, as extended and collected
25 in the year in which the resolution is adopted, for the

1 dissolving township and each receiving township;

2 (4) a description and amount of all debt each receiving
3 township shall assume after the dissolving township
4 dissolves. The debt shall be assumed by each receiving
5 township in equal proportion to the equalized assessed
6 value of the land and property that will be received by
7 each receiving township from the dissolving township
8 unless otherwise agreed to in the resolutions;

9 (5) a description of how each road district or road
10 districts of a dissolving township shall comply with
11 subsection (c) of Section 23-25; and

12 (6) the date of the general election at which the
13 referendum shall be held.

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

16 (b) Before passing a resolution under this Section, each
17 township board shall hold a public hearing on those matters
18 after notice of the hearing has been published on the main page
19 of the townships' websites, if any, and in a newspaper having a
20 general circulation in the townships affected. The notice shall
21 be published at least 30 days before the date of the hearing.
22 The notice shall contain, at a minimum, the name of the
23 dissolving township and receiving townships and a description
24 of the area each receiving township will receive from the
25 dissolving township.

1 (60 ILCS 1/23-15 new)

2 Sec. 23-15. Referendum and notices.

3 (a) Upon the adoption of resolutions under Section 23-10 by
4 all townships, the township boards shall certify the question
5 to the election authority and the authority shall cause to be
6 submitted to the voters of all townships at the general
7 election specified in the resolutions a referendum to
8 consolidate the townships. The referendum shall be
9 substantially in the following form:

10 Shall (name of dissolving township) be dissolved into
11 (names of receiving townships)?

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

13 The referendum is approved when a majority of the voters,
14 in each of the affected townships, approve the referendum.

15 (b) Before a referendum appears on the ballot under
16 subsection (a), the township boards shall publish a copy of the
17 adopted resolution on the main page of the townships' websites,
18 if any, and in a newspaper having a general circulation in each
19 of the townships affected. The notice shall be published at
20 least 30 days before the date of the general election.

21 Each township board shall additionally mail a copy of the
22 adopted resolution, along with a copy of the referendum
23 language and a list of all taxes levied for general township
24 purposes in the affected townships, to every registered voter
25 in each township affected. The notice shall be mailed at least
26 30 days before the date of the general election in which the

1 referendum will appear.

2 (c) Notwithstanding any provision of law to the contrary,
3 no tax rate may be extended for any fund of the consolidated
4 district for the first levy year of the consolidated district
5 that exceeds any statutory maximum set forth for that fund,
6 unless the referendum also conforms to the requirements of the
7 Property Tax Extension Limitation Law or other statutory
8 provision setting forth that limitation.

9 (60 ILCS 1/23-20 new)

10 Sec. 23-20. Transition.

11 (a) Notwithstanding any other provision of law to the
12 contrary, upon the approval of a referendum under Section
13 23-15:

14 (1) there shall be no further nominations or elections
15 for clerks, assessors, collectors, highway commissioners,
16 supervisors, or trustees of the dissolving township or
17 highway commissions and the terms of all such officers
18 currently serving shall continue until the third Monday of
19 May of the year in which township officials are elected
20 following the approval of a referendum under Section 23-15;

21 (2) a Transition Township Board is formed for each
22 receiving township. Each Transition Township Board shall
23 be composed of the members of the dissolving township
24 boards plus the members of the receiving township board.
25 The Transition Township Board shall only have authority to

1 do the following under paragraphs (3) and (4) of this
2 Section: provide for the compensation for all receiving
3 township officials that will be elected at the consolidated
4 election next following the approval of a referendum under
5 Section 23-15; and approving additional debt to be taken on
6 by the dissolving township;

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

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

24 (5) Section 3-7 of the Election Code shall govern those
25 individuals entitled to caucus, vote for, be nominated for,
26 and run for offices for the receiving townships at the

1 consolidated election of township officials next following
2 the approval of a referendum under Section 23-15.

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

8 (60 ILCS 1/23-25 new)

9 Sec. 23-25. Merged township. On the third Monday of May of
10 the year in which township officials are elected following the
11 approval of a referendum under Section 23-15, the following
12 shall occur:

13 (a) The dissolving township ceases.

14 (b) All rights, powers, duties, assets, and property,
15 together with all personnel, contractual obligations,
16 other obligations, responsibilities, and liabilities of
17 the dissolving township are transferred to the receiving
18 townships as provided in the resolution adopted under
19 Section 23-10. The rights include, but are not limited to,
20 the authority to continue to collect and receive any tax
21 levied prior to the creation of the merged townships
22 without an additional ordinance, resolution, or
23 referendum.

24 (c) Road districts located within the dissolving
25 township are abolished and all the rights, powers, duties,

1 assets, property, liabilities, obligations, and
2 responsibilities of the dissolving road districts shall
3 vest in and be assumed by the receiving townships' road
4 districts as provided for in the resolutions adopted under
5 Section 23-10; the boards of trustees of the receiving
6 townships shall exercise the taxing authority of a road
7 district dissolved under this Section and shall exercise
8 all duties and responsibilities of the highway
9 commissioner as provided in the Illinois Highway Code
10 unless a road district in the receiving township has a
11 highway commissioner who shall assume all duties and
12 responsibilities of the highway commissioner of the
13 dissolving road districts if so resolved by the receiving
14 township board; highway commissioners of the dissolving
15 road districts shall cease to hold office on the date the
16 road district is abolished; and for purposes of
17 distribution of revenue, the receiving townships' road
18 districts, or the township board if no road districts
19 exist, shall assume the powers, duties, and obligations of
20 the dissolving road district.

21 (60 ILCS 1/25-15)

22 Sec. 25-15. Selection of county governing body; election
23 ~~Election of county commissioners~~. When township organization
24 ceases in any county as provided in this Article, the county
25 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 or ~~and~~ dispose of
18 any of the property belonging to a township for the benefit of
19 the inhabitants of the township, as fully as might have been
20 done by the townships themselves. The county board 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
4 TOWNSHIP WITHIN COTERMINOUS
5 MUNICIPALITY: ALL TOWNSHIPS

6 (60 ILCS 1/29-5 new)

7 Sec. 29-5. Resolutions to discontinue and abolish a
8 township. The township board and the corporate authorities of a
9 coterminous, or substantially coterminous, municipality may by
10 resolutions of the board and corporate authorities, and after
11 referendum of the voters of the township and municipality: (1)
12 discontinue and abolish the township; (2) transfer all the
13 rights, powers, duties, assets, property, liabilities,
14 obligations, and responsibilities of the township to the
15 municipality; and (3) cease and dissolve all township road
16 districts with the district's jurisdiction and authority
17 transferred to the municipality upon the dissolution of the
18 township.

19 (60 ILCS 1/29-10 new)

20 Sec. 29-10. Notice.

21 (a) Before passing resolutions under Section 29-5, the
22 township board and the corporate authorities of the
23 municipality shall hold public hearings on those matters after

1 notice of the hearing has been published on the main page of
2 the respective entities' websites, if any, and in a newspaper
3 having general circulation in the township and municipality.
4 The notice shall be published at least 30 days before the date
5 of the hearing.

6 (b) Before a referendum is placed on the ballot under
7 Section 29-15, each township board shall publish a copy of the
8 resolution adopted under Section 29-5 on the main page of the
9 respective entities' websites, if any, and in a newspaper of
10 general circulation in the township and municipality affected.
11 The notice shall be published at least 30 days before the date
12 of the general election in which the referendum will appear.

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

20 (60 ILCS 1/29-15 new)

21 Sec. 29-15. Referendum for cessation of township. Upon the
22 adoption of resolutions under Section 29-5 by both the township
23 and municipality, the township board and corporate authorities
24 of the municipality shall certify the question to the election
25 authority and the authority shall cause to be submitted to the

1 voters of the township and municipality at the next election a
2 referendum to discontinue the township and to transfer all the
3 rights, powers, duties, assets, property, liabilities,
4 obligations, and responsibilities of the township to the
5 municipality. The referendum shall be substantially in the
6 following form:

7 Shall the Township of (name of township) cease?

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

11 If the referendum is approved, there shall be no further
12 nominations or elections for clerks, assessors, collectors,
13 highway commissioners, supervisors, or trustees of the
14 township or highway commission, and the terms of all such
15 officers currently serving shall continue until the third
16 Monday of May of the year of the consolidated election in which
17 township officials are elected next following the approval of a
18 referendum under this Section.

19 (60 ILCS 1/29-20 new)

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

24 (1) the township is discontinued and abolished and all
25 the rights, powers, duties, assets, property, liabilities,

1 obligations, and responsibilities of the township shall
2 vest in and be assumed by the municipality, including the
3 authority to levy property taxes for township purposes in
4 the same manner as the dissolved township without an
5 additional ordinance, resolution, or referendum;

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

7 (3) the municipality shall exercise all duties and
8 responsibilities of the township officers as provided in
9 the Township Code, the Illinois Public Aid Code, the
10 Property Tax Code, and the Illinois Highway Code, as
11 applicable. The municipality may enter into an
12 intergovernmental agreement with the county or the State to
13 administer the duties and responsibilities of the township
14 officers for services under its jurisdiction; and

15 (4) any road district located within the township is
16 abolished and its jurisdiction, rights, powers, duties,
17 assets, property, liabilities, obligations, and
18 responsibilities shall vest in and be assumed by the
19 municipality and the highway commissioner of the abolished
20 road district shall cease to hold office. The corporate
21 authorities of the municipality shall: exercise the taxing
22 authority of a road district abolished under this Section;
23 exercise all duties and responsibilities of the highway
24 commissioner as provided in the Illinois Highway Code; and
25 for purposes of distribution of revenue, assume the powers,
26 duties, and obligations of the road district in the

1 discontinued township. The corporate authorities of a
2 municipality may enter into an intergovernmental agreement
3 or a contract with the county, another municipality, or a
4 private contractor to administer the roads which were under
5 the jurisdiction of the abolished road district.

6 (60 ILCS 1/29-25 new)

7 Sec. 29-25. Business, records, and property of
8 discontinued township. The records of a township discontinued
9 under this Article shall be deposited in the municipality's
10 city clerk's office. The municipality may close up all
11 unfinished business of the township and sell and dispose of any
12 of the property belonging to the township for benefit of the
13 inhabitants of the municipality.

14 (60 ILCS 1/65-20)

15 Sec. 65-20. Road district treasurer; new township;
16 multi-township officers.

17 (a) Compensation of township officers shall be set by the
18 township board at least 180 days before the beginning of the
19 terms of officers, including compensation of the road district
20 treasurer, which shall be not less than \$100 or more than
21 \$1,000 per year. Compensation of a township assessor and
22 collector shall be set at the same time as the compensation of
23 the township supervisor. Compensation of a multi-township
24 assessor shall be set at least 150 days before his or her

1 election.

2 (b) The compensation to be paid to each officer in a new
3 township established under Section 10-25 shall be determined
4 under this Section by the township board of the township the
5 whole or a part of which comprises the new township and that
6 has the highest equalized assessed valuation (as of December
7 31, 1972) of the old townships that comprise the new township.

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

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

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

19 Section 20. The Home Equity Assurance Act is amended by
20 changing Sections 4 and 5 and by adding Section 21 as follows:

21 (65 ILCS 95/4) (from Ch. 24, par. 1604)

22 Sec. 4. Creation of Commission.

23 (a) Whenever in a municipality with more than 1,000,000
24 inhabitants, the question of creating a home equity program

1 within a contiguous territory included entirely within the
2 municipality is initiated by resolution or ordinance of the
3 corporate authorities of the municipality or by a petition
4 signed by not less than 10% of the total number of registered
5 voters of each precinct in the territory, the registered voters
6 of which are eligible to sign the petition, it shall be the
7 duty of the election authority having jurisdiction over such
8 municipality to submit the question of creating a home equity
9 program to the electors of each precinct within the territory
10 at the regular election specified in the resolution, ordinance
11 or petition initiating the question. If the question is
12 initiated by petition and if the requisite number of signatures
13 is not obtained in any precinct included within the territory
14 described in the petition, then the petition shall be valid as
15 to the territory encompassed by those precincts for which the
16 requisite number of signatures is obtained and any such
17 precinct for which the requisite number of signatures is not
18 obtained shall be excluded from the territory. A petition
19 initiating a question described in this Section shall be filed
20 with the election authority having jurisdiction over the
21 municipality. The petition shall be filed and objections
22 thereto shall be made in the manner provided in the general
23 election law. A resolution, ordinance, or petition initiating a
24 question described in this Section shall specify the election
25 at which the question is to be submitted. The referendum on
26 such question shall be held in accordance with general election

1 law. Such question, and the resolution, ordinance, or petition
2 initiating the question, shall include a description of the
3 territory, the name of the proposed home equity program, and
4 the maximum rate at which the home equity program shall be able
5 to levy a property tax. All of that area within the geographic
6 boundaries of the territory described in such question shall be
7 included in the program, and no area outside the geographic
8 boundaries of the territory described in such question shall be
9 included in the program. If the election authority determines
10 that the description cannot be included within the space
11 limitations of the ballot, the election authority shall prepare
12 large printed copies of a notice of the question, which shall
13 be prominently displayed in the polling place of each precinct
14 in which the question is to be submitted.

15 (b) Whenever a majority of the voters on such public
16 question approve the creation of a home equity program as
17 certified by the proper election authorities, the mayor of the
18 municipality shall appoint, with the consent of the corporate
19 authorities, 9 individuals, to be known as commissioners, to
20 serve as the governing body of the home equity program. The
21 mayor shall choose 7 of the 9 individuals to be appointed to
22 the governing commission from nominees submitted by a community
23 organization or community organizations as defined in this Act.
24 A community organization may recommend up to 20 individuals to
25 serve on a governing commission. Beginning after the effective
26 date of this amendatory Act of the 100th General Assembly, a

1 home equity commission shall consist of 7 commissioners;
2 however, the 9 commissioners serving on a governing commission
3 on the effective date of this amendatory Act of the 100th
4 General Assembly shall be allowed to finish their current terms
5 of service. Thereafter, the number of commissioners shall be
6 reduced to 7.

7 No fewer than 5 commissioners serving at any one time shall
8 reside within the territory of the program. Beginning after the
9 effective date of this amendatory Act of the 100th General
10 Assembly, and upon the number of commissioners being reduced to
11 7, no fewer than 4 commissioners serving at any one time shall
12 reside within the territory of the program.

13 Upon the initial appointment of 7 commissioners to creation
14 of a governing commission under the provisions of this
15 amendatory Act of the 100th General Assembly, the terms of the
16 initial commissioners shall be as follows: one ~~3~~ shall serve
17 for one year, 3 shall serve for 2 years, and 3 shall serve for 3
18 years and until a successor is appointed and qualified. All
19 succeeding terms shall be for 3 years, or until a successor is
20 appointed or qualified. Commissioners shall serve without
21 compensation except for reimbursement for reasonable expenses
22 incurred in the performance of duties as a commissioner. A
23 vacancy in the office of a member of a commission shall be
24 filled in like manner as an original appointment.

25 All proceedings and meetings of the governing commission
26 shall be conducted in accordance with the provisions of the

1 Open Meetings Act, as now or hereafter amended.

2 (Source: P.A. 93-709, eff. 7-9-04.)

3 (65 ILCS 95/5) (from Ch. 24, par. 1605)

4 Sec. 5. Duties and Functions of Commission. The duties and
5 functions of the governing commission of a Home Equity Program
6 shall include the following:

7 (a) To conduct or supervise the day-to-day operation of the
8 program, including but not limited to the administration of
9 homeowner applications for participation in the program and
10 homeowner claims against the guarantee fund.

11 (b) To establish policies, rules, regulations, bylaws, and
12 procedures for both the governing commission and the program.
13 No policies, rules, regulations, or bylaws shall be adopted by
14 the governing commission without prior notice to the residents
15 of the territory of a program and an opportunity for such
16 residents to be heard.

17 (c) To provide annual status reports on the program to the
18 mayor and corporate authorities of the municipality.

19 (d) To establish guaranteed value standards which are
20 directly linked to the program appraisal, to approve guarantee
21 values, to establish requirements for program appraisers
22 consistent with subsection (p) of Section 3. In no event shall
23 the program guidelines adopted by the governing commission
24 provide for selecting appraisers based on criteria other than
25 the quality and timeliness of the appraisals provided to the

1 governing commission.

2 (e) To manage, administer, and invest the guarantee fund.

3 (f) To liquidate acquired assets to maintain the guarantee
4 fund.

5 (g) To participate in arbitration required under the
6 program and to subpoena all necessary persons, parties, or
7 documents required to proceed with such arbitration.

8 (h) To employ necessary personnel, acquire necessary
9 office space, enter into contractual relationships and
10 disburse funds in accordance with the provisions of this Act. A
11 governing commission may employ full-time or part-time
12 employees.

13 (i) To perform such other functions in connection with the
14 program and the guarantee fund as required under this Act.

15 (Source: P.A. 85-1044.)

16 (65 ILCS 95/21 new)

17 Sec. 21. Tax Reimbursement Program. A governing
18 commission, with no less than \$4,000,000 unencumbered funds in
19 its guarantee fund, may, if authorized by resolution of the
20 governing commission upon approval by two-thirds of the
21 commissioners, establish a Tax Reimbursement Program to make
22 reimbursements to each applicable taxpayer for an amount of no
23 more than the total of their pro rata share of the annual levy
24 imposed by the commission. Prior to authorizing a reimbursement
25 program, an independent licensed public accountant not

1 connected with the commission or any entity conducting business
2 with the commission shall audit the commission and the proposal
3 for the program. The commission may create a program if the
4 independent licensed public accountant determines that such a
5 program will not reduce the balance of the guarantee fund to
6 less than \$3,000,000. For the purposes of this Section,
7 "applicable taxpayer" means the owner of record that paid the
8 tax levied on property in accordance with Section 11 of this
9 Act.

10 Section 25. The Street Light District Act is amended by
11 changing Section 11 as follows:

12 (70 ILCS 3305/11)

13 Sec. 11. Cessation of district organization.
14 Notwithstanding any other provision of law, if a majority vote
15 of the board of trustees is in favor of the proposition to
16 annex the district to another district whose boundaries are
17 contiguous, or consolidate the district into a municipality
18 with which the district is coterminous or substantially
19 coterminous, or consolidate the district into the county in
20 which the district sits if the district contains territory
21 within only one county, or consolidate the district into the
22 township in which the district sits if the entire district is
23 located within the district, and if the governing authorities
24 of the governmental unit assuming the functions of the former

1 district agree by resolution to accept the functions (and
2 jurisdiction over the territory, if applicable) of the
3 consolidated or annexed district, then the district shall
4 cease. On the effective date of the annexation or
5 consolidation, all the rights, powers, duties, assets,
6 property, liabilities, indebtedness, obligations, bonding
7 authority, taxing authority, and responsibilities of the
8 district shall vest in and be assumed by the governmental unit
9 assuming the functions of the former district.

10 The employees of the former district shall be transferred
11 to the governmental unit assuming the functions of the former
12 district. The governmental unit assuming the functions of the
13 former district shall exercise the rights and responsibilities
14 of the former district with respect to those employees. The
15 status and rights of the employees of the former district under
16 any applicable contracts or collective bargaining agreements,
17 historical representation rights under the Illinois Public
18 Labor Relations Act, or under any pension, retirement, or
19 annuity plan shall not be affected by this amendatory Act.

20 (Source: P.A. 98-1002, eff. 8-18-14.)

21 Section 30. The Illinois Highway Code is amended by
22 changing Sections 6-130 and 6-133 and by adding Section 6-135
23 as follows:

24 (605 ILCS 5/6-130) (from Ch. 121, par. 6-130)

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

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

20 (605 ILCS 5/6-133)

21 Sec. 6-133. Abolishing a road district in Cook County. By
22 resolution, the board of trustees of any township located in
23 Cook County, Illinois, may submit a proposition to abolish the
24 road district of that township to the electors of that township
25 at a general election or consolidated election in accordance

1 with the general election law. The ballot shall be in
2 substantially the following form:

3 -----

4 Shall the Road District of the Township of

5 be abolished with all the rights,

6 powers, duties, assets, property, liabilities, YES

7 obligations, and responsibilities being assumed -----

8 by the Township of ? NO

9 -----

10 In the event that a majority of the electors voting on such

11 proposition are in favor thereof, then the road district shall

12 be abolished by operation of law effective on January 1 of the

13 calendar year immediately following the calendar year in which

14 the proposition was approved by the electors or on the date the

15 term of the highway commissioner in office at the time the

16 proposition was approved by the electors expires, whichever is

17 later.

18 On that date, all the rights, powers, duties, assets,

19 property, liabilities, obligations, and responsibilities of

20 the road district shall by operation of law vest in and be

21 assumed by the township. On that date, the township board of

22 trustees shall assume all taxing authority of a road district

23 abolished under this Section. On that date, any highway

24 commissioner of the abolished road district shall cease to hold

1 office, such term having been terminated. Thereafter, the
2 township shall exercise all duties and responsibilities of the
3 highway commissioner as provided in the Illinois Highway Code.
4 The township board of trustees may enter into a contract with
5 the county, a municipality, or a private contractor to
6 administer the roads under its jurisdiction. ~~The township board
7 of trustees shall assume all taxing authority of a township
8 road district abolished under this subsection.~~ For purposes of
9 distribution of revenue, the township shall assume the powers,
10 duties, and obligations of the road district.

11 (Source: P.A. 97-611, eff. 1-1-12.)

12 (605 ILCS 5/6-135 new)

13 Sec. 6-135. Abolishing a road district with less than 15
14 miles of roads.

15 (a) Any township in a county with a population less than
16 3,000,000 may abolish a road district of that township if the
17 roads of the road district are less than 15 miles in length, as
18 determined by the county engineer or county superintendent of
19 highways, by resolution of a majority of the board of trustees
20 to submit a referendum to abolish the road district of that
21 township. The referendum shall be submitted to the electors of
22 that township at the next general election or consolidated
23 election in accordance with the general election law. The
24 ballot shall be in substantially the following form:

25 -----

1 Shall the Road District of the Township of
2 be abolished with all the rights,
3 powers, duties, assets, property, liabilities, YES
4 obligations, and responsibilities being assumed -----
5 by the Township of ? NO
6 -----

7 (b) If a majority of the electors voting on the referendum
8 under subsection (a) of this Section are in favor of abolishing
9 the township road district, then the road district is abolished
10 on the January 1 following the approval of the referendum or on
11 the date the term of the highway commissioner in office at the
12 time the referendum was approved expires, whichever is later.

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

1 under this Section.

2 Section 99. Effective date. This Act takes effect January
3 1, 2018."