

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, by changing Sections 2-4006, 5-44010,
11 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 on the main page
7 of the townships' websites, if any, and in a newspaper having a
8 general circulation in the townships affected. The notice shall
9 be published at least 30 days before the date of the hearing.
10 The notice shall contain, at a minimum, the name of all
11 townships that will be consolidating and a description of the
12 area of consolidation.

13 (60 ILCS 1/22-10 new)

14 Sec. 22-10. Referendum.

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

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

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

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

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

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

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

24 (60 ILCS 1/22-15 new)

25 Sec. 22-15. Transition. Notwithstanding any other

1 provision of law to the contrary, upon the approval of a
2 referendum under Section 22-10:

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

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

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

1 between the separate townships in the preceding calendar year.

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

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

11 (60 ILCS 1/22-20 new)

12 Sec. 22-20. Consolidated township.

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

16 (1) the separate townships cease and the consolidated
17 township is created;

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

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

14 (3) road districts located within the separate
15 townships are abolished.

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

1 responsibilities of the highway commissioner as provided in the
2 Illinois Highway Code. For purposes of distribution of revenue,
3 the new township shall assume the powers, duties, and
4 obligations of the road district of the dissolving road
5 district. The new township board may enter into a contract with
6 the county, a municipality, or a private contractor to
7 administer the roads under the new road district.

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

24 (60 ILCS 1/Art. 23 heading new)

25 ARTICLE 23. MERGER OF A SINGLE

1 TOWNSHIP INTO 2 OTHER TOWNSHIPS

2 (60 ILCS 1/23-5 new)

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

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

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

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

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

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

21 (60 ILCS 1/23-10 new)

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

23 (a) Notwithstanding any other provision of law to the
24 contrary, the township boards of any 3 adjacent townships may,

1 by identical resolutions of each board, propose that a township
2 which borders the other 2 townships be dissolved by referendum
3 and all rights, powers, duties, assets, and property, together
4 with all personnel, contractual obligations, other
5 obligations, responsibilities, and liabilities of the
6 dissolving township transferred to the receiving townships.
7 Each resolution shall include, but is not limited to, the
8 following:

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

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

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

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

1 unless otherwise agreed to in the resolutions;

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

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

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

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

19 (60 ILCS 1/23-15 new)

20 Sec. 23-15. Referendum and notices.

21 (a) Upon the adoption of resolutions under Section 23-10 by
22 all townships, the township boards shall certify the question
23 to the election authority and the authority shall cause to be
24 submitted to the voters of all townships at the general
25 election specified in the resolutions a referendum to

1 consolidate the townships. The referendum shall be
2 substantially in the following form:

3 Shall (name of dissolving township) be dissolved into
4 (names of receiving townships)?

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

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

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

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

21 (c) Notwithstanding any provision of law to the contrary,
22 no tax rate may be extended for any fund of the consolidated
23 district for the first levy year of the consolidated district
24 that exceeds any statutory maximum set forth for that fund,
25 unless the referendum also conforms to the requirements of the
26 Property Tax Extension Limitation Law or other statutory

1 provision setting forth that limitation.

2 (60 ILCS 1/23-20 new)

3 Sec. 23-20. Transition.

4 (a) Notwithstanding any other provision of law to the
5 contrary, upon the approval of a referendum under Section
6 23-15:

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

14 (2) a Transition Township Board is formed for each
15 receiving township. Each Transition Township Board shall
16 be composed of the members of the dissolving township
17 boards plus the members of the receiving township board.
18 The Transition Township Board shall only have authority to
19 do the following under paragraphs (3) and (4) of this
20 Section: provide for the compensation for all receiving
21 township officials that will be elected at the consolidated
22 election next following the approval of a referendum under
23 Section 23-15; and approving additional debt to be taken on
24 by the dissolving township;

25 (3) each Transition Township Board shall hold a public

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

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

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

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

1 (60 ILCS 1/23-25 new)

2 Sec. 23-25. Merged township. On the third Monday of May of
3 the year in which township officials are elected following the
4 approval of a referendum under Section 23-15, the following
5 shall occur:

6 (a) The dissolving township ceases.

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

17 (c) Road districts located within the dissolving
18 township are abolished and all the rights, powers, duties,
19 assets, property, liabilities, obligations, and
20 responsibilities of the dissolving road districts shall
21 vest in and be assumed by the receiving townships' road
22 districts as provided for in the resolutions adopted under
23 Section 23-10; the boards of trustees of the receiving
24 townships shall exercise the taxing authority of a road
25 district dissolved under this Section and shall exercise

1 all duties and responsibilities of the highway
2 commissioner as provided in the Illinois Highway Code
3 unless a road district in the receiving township has a
4 highway commissioner who shall assume all duties and
5 responsibilities of the highway commissioner of the
6 dissolving road districts if so resolved by the receiving
7 township board; highway commissioners of the dissolving
8 road districts shall cease to hold office on the date the
9 road district is abolished; and for purposes of
10 distribution of revenue, the receiving townships' road
11 districts, or the township board if no road districts
12 exist, shall assume the powers, duties, and obligations of
13 the dissolving road district.

14 (60 ILCS 1/25-15)

15 Sec. 25-15. Selection of county governing body; election
16 ~~Election of county commissioners.~~ When township organization
17 ceases in any county as provided in this Article, the county
18 board may by ordinance or resolution restructure into a
19 commission form of government on or before 180 days after a
20 township organization ceases. If the county board votes to
21 assume a commission form of government, an election shall be
22 held in the county at the next general election in an
23 even-numbered year for 3 county commissioners who shall hold
24 office for 2, 4, and 6 years, respectively, and until their
25 successors are elected and qualified. Terms shall be determined

1 by lot. At each succeeding general election after the first,
2 one commissioner shall be elected.

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

4 (60 ILCS 1/25-25)

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

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

20 (60 ILCS 1/Art. 29 heading new)

21 ARTICLE 29. DISCONTINUANCE OF
22 TOWNSHIP WITHIN COTERMINOUS
23 MUNICIPALITY: ALL TOWNSHIPS

1 (60 ILCS 1/29-5 new)

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

14 (60 ILCS 1/29-10 new)

15 Sec. 29-10. Notice.

16 (a) Before passing resolutions under Section 29-5, the
17 township board and the corporate authorities of the
18 municipality shall hold public hearings on those matters after
19 notice of the hearing has been published on the main page of
20 the respective entities' websites, if any, and in a newspaper
21 having general circulation in the township and municipality.
22 The notice shall be published at least 30 days before the date
23 of the hearing.

24 (b) Before a referendum is placed on the ballot under
25 Section 29-15, each township board shall publish a copy of the

1 resolution adopted under Section 29-5 on the main page of the
2 respective entities' websites, if any, and in a newspaper of
3 general circulation in the township and municipality affected.
4 The notice shall be published at least 30 days before the date
5 of the general election in which the referendum will appear.

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

13 (60 ILCS 1/29-15 new)

14 Sec. 29-15. Referendum for cessation of township. Upon the
15 adoption of resolutions under Section 29-5 by both the township
16 and municipality, the township board and corporate authorities
17 of the municipality shall certify the question to the election
18 authority and the authority shall cause to be submitted to the
19 voters of the township and municipality at the next election a
20 referendum to discontinue the township and to transfer all the
21 rights, powers, duties, assets, property, liabilities,
22 obligations, and responsibilities of the township to the
23 municipality. The referendum shall be substantially in the
24 following form:

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

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

4 If the referendum is approved, there shall be no further
5 nominations or elections for clerks, assessors, collectors,
6 highway commissioners, supervisors, or trustees of the
7 township or highway commission, and the terms of all such
8 officers currently serving shall continue until the third
9 Monday of May of the year of the consolidated election in which
10 township officials are elected next following the approval of a
11 referendum under this Section.

12 (60 ILCS 1/29-20 new)

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

17 (1) the township is discontinued and abolished and all
18 the rights, powers, duties, assets, property, liabilities,
19 obligations, and responsibilities of the township shall
20 vest in and be assumed by the municipality, including the
21 authority to levy property taxes for township purposes in
22 the same manner as the dissolved township without an
23 additional ordinance, resolution, or referendum;

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

25 (3) the municipality shall exercise all duties and

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

8 (4) any road district located within the township is
9 abolished and its jurisdiction, rights, powers, duties,
10 assets, property, liabilities, obligations, and
11 responsibilities shall vest in and be assumed by the
12 municipality and the highway commissioner of the abolished
13 road district shall cease to hold office. The corporate
14 authorities of the municipality shall: exercise the taxing
15 authority of a road district abolished under this Section;
16 exercise all duties and responsibilities of the highway
17 commissioner as provided in the Illinois Highway Code; and
18 for purposes of distribution of revenue, assume the powers,
19 duties, and obligations of the road district in the
20 discontinued township. The corporate authorities of a
21 municipality may enter into an intergovernmental agreement
22 or a contract with the county, another municipality, or a
23 private contractor to administer the roads which were under
24 the jurisdiction of the abolished road district.

1 Sec. 29-25. Business, records, and property of
2 discontinued township. The records of a township discontinued
3 under this Article shall be deposited in the municipality's
4 city clerk's office. The municipality may close up all
5 unfinished business of the township and sell and dispose of any
6 of the property belonging to the township for benefit of the
7 inhabitants of the municipality.

8 (60 ILCS 1/65-20)

9 Sec. 65-20. Road district treasurer; new township;
10 multi-township officers.

11 (a) Compensation of township officers shall be set by the
12 township board at least 180 days before the beginning of the
13 terms of officers, including compensation of the road district
14 treasurer, which shall be not less than \$100 or more than
15 \$1,000 per year. Compensation of a township assessor and
16 collector shall be set at the same time as the compensation of
17 the township supervisor. Compensation of a multi-township
18 assessor shall be set at least 150 days before his or her
19 election.

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

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

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

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

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

14 (65 ILCS 95/4) (from Ch. 24, par. 1604)

15 Sec. 4. Creation of Commission.

16 (a) Whenever in a municipality with more than 1,000,000
17 inhabitants, the question of creating a home equity program
18 within a contiguous territory included entirely within the
19 municipality is initiated by resolution or ordinance of the
20 corporate authorities of the municipality or by a petition
21 signed by not less than 10% of the total number of registered
22 voters of each precinct in the territory, the registered voters
23 of which are eligible to sign the petition, it shall be the
24 duty of the election authority having jurisdiction over such

1 municipality to submit the question of creating a home equity
2 program to the electors of each precinct within the territory
3 at the regular election specified in the resolution, ordinance
4 or petition initiating the question. If the question is
5 initiated by petition and if the requisite number of signatures
6 is not obtained in any precinct included within the territory
7 described in the petition, then the petition shall be valid as
8 to the territory encompassed by those precincts for which the
9 requisite number of signatures is obtained and any such
10 precinct for which the requisite number of signatures is not
11 obtained shall be excluded from the territory. A petition
12 initiating a question described in this Section shall be filed
13 with the election authority having jurisdiction over the
14 municipality. The petition shall be filed and objections
15 thereto shall be made in the manner provided in the general
16 election law. A resolution, ordinance, or petition initiating a
17 question described in this Section shall specify the election
18 at which the question is to be submitted. The referendum on
19 such question shall be held in accordance with general election
20 law. Such question, and the resolution, ordinance, or petition
21 initiating the question, shall include a description of the
22 territory, the name of the proposed home equity program, and
23 the maximum rate at which the home equity program shall be able
24 to levy a property tax. All of that area within the geographic
25 boundaries of the territory described in such question shall be
26 included in the program, and no area outside the geographic

1 boundaries of the territory described in such question shall be
2 included in the program. If the election authority determines
3 that the description cannot be included within the space
4 limitations of the ballot, the election authority shall prepare
5 large printed copies of a notice of the question, which shall
6 be prominently displayed in the polling place of each precinct
7 in which the question is to be submitted.

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

26 No fewer than 5 commissioners serving at any one time shall

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

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

18 All proceedings and meetings of the governing commission
19 shall be conducted in accordance with the provisions of the
20 Open Meetings Act, as now or hereafter amended.

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

22 (65 ILCS 95/5) (from Ch. 24, par. 1605)

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

1 (a) To conduct or supervise the day-to-day operation of the
2 program, including but not limited to the administration of
3 homeowner applications for participation in the program and
4 homeowner claims against the guarantee fund.

5 (b) To establish policies, rules, regulations, bylaws, and
6 procedures for both the governing commission and the program.
7 No policies, rules, regulations, or bylaws shall be adopted by
8 the governing commission without prior notice to the residents
9 of the territory of a program and an opportunity for such
10 residents to be heard.

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

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

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

22 (f) To liquidate acquired assets to maintain the guarantee
23 fund.

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

1 (h) To employ necessary personnel, acquire necessary
2 office space, enter into contractual relationships and
3 disburse funds in accordance with the provisions of this Act. A
4 governing commission may employ full-time or part-time
5 employees.

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

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

9 (65 ILCS 95/21 new)

10 Sec. 21. Tax Reimbursement Program. A governing
11 commission, with no less than \$4,000,000 unencumbered funds in
12 its guarantee fund, may, if authorized by resolution of the
13 governing commission upon approval by two-thirds of the
14 commissioners, establish a Tax Reimbursement Program to make
15 reimbursements to each applicable taxpayer for an amount of no
16 more than the total of their pro rata share of the annual levy
17 imposed by the commission. Prior to authorizing a reimbursement
18 program, an independent licensed public accountant not
19 connected with the commission or any entity conducting business
20 with the commission shall audit the commission and the proposal
21 for the program. The commission may create a program if the
22 independent licensed public accountant determines that such a
23 program will not reduce the balance of the guarantee fund to
24 less than \$3,000,000. For the purposes of this Section,
25 "applicable taxpayer" means the owner of record that paid the

1 tax levied on property in accordance with Section 11 of this
2 Act.

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

5 (70 ILCS 3305/11)

6 Sec. 11. Cessation of district organization.
7 Notwithstanding any other provision of law, if a majority vote
8 of the board of trustees is in favor of the proposition to
9 annex the district to another district whose boundaries are
10 contiguous, or consolidate the district into a municipality
11 with which the district is coterminous or substantially
12 coterminous, or consolidate the district into the county in
13 which the district sits if the district contains territory
14 within only one county, or consolidate the district into the
15 township in which the district sits if the entire district is
16 located within the district, and if the governing authorities
17 of the governmental unit assuming the functions of the former
18 district agree by resolution to accept the functions (and
19 jurisdiction over the territory, if applicable) of the
20 consolidated or annexed district, then the district shall
21 cease. On the effective date of the annexation or
22 consolidation, all the rights, powers, duties, assets,
23 property, liabilities, indebtedness, obligations, bonding
24 authority, taxing authority, and responsibilities of the

1 district shall vest in and be assumed by the governmental unit
2 assuming the functions of the former district.

3 The employees of the former district shall be transferred
4 to the governmental unit assuming the functions of the former
5 district. The governmental unit assuming the functions of the
6 former district shall exercise the rights and responsibilities
7 of the former district with respect to those employees. The
8 status and rights of the employees of the former district under
9 any applicable contracts or collective bargaining agreements,
10 historical representation rights under the Illinois Public
11 Labor Relations Act, or under any pension, retirement, or
12 annuity plan shall not be affected by this amendatory Act.

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

14 Section 30. The Illinois Highway Code is amended by
15 changing Sections 6-130 and 6-133 and by adding Section 6-135
16 as follows:

17 (605 ILCS 5/6-130) (from Ch. 121, par. 6-130)

18 Sec. 6-130. Road district abolishment. Notwithstanding any
19 other provision of this Act to the contrary, no township road
20 district may continue in existence if the roads forming a part
21 of the district do not exceed a total of 4 miles in length as
22 determined by the county engineer or county superintendent of
23 highways. ~~For purposes of this Section, the roads forming a~~
24 ~~part of a township road district include those roads maintained~~

1 ~~by the district, regardless of whether or not those roads are~~
 2 ~~owned by the township.~~ On the first Tuesday in April of 1975,
 3 or of any subsequent year next succeeding the reduction of a
 4 township road system to a total mileage of 4 miles or less,
 5 each such township road district shall, by operation of law, be
 6 abolished. The roads comprising that district at that time
 7 shall thereafter be administered by the township board of
 8 trustees by contracting with the county, a municipality or a
 9 private contractor. The township board of trustees shall assume
 10 all taxing authority of a township road district abolished
 11 under this Section.

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

13 (605 ILCS 5/6-133)

14 Sec. 6-133. Abolishing a road district in Cook County. By
 15 resolution, the board of trustees of any township located in
 16 Cook County, Illinois, may submit a proposition to abolish the
 17 road district of that township to the electors of that township
 18 at a general election or consolidated election in accordance
 19 with the general election law. The ballot shall be in
 20 substantially the following form:

21 -----

22 Shall the Road District of the Township of
 23 be abolished with all the rights,
 24 powers, duties, assets, property, liabilities,

YES

1 obligations, and responsibilities being assumed -----
 2 by the Township of ? NO
 3 -----

4 In the event that a majority of the electors voting on such
 5 proposition are in favor thereof, then the road district shall
 6 be abolished by operation of law effective on January 1 of the
 7 calendar year immediately following the calendar year in which
 8 the proposition was approved by the electors or on the date the
 9 term of the highway commissioner in office at the time the
 10 proposition was approved by the electors expires, whichever is
 11 later.

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

1 ~~road district abolished under this subsection.~~ For purposes of
2 distribution of revenue, the township shall assume the powers,
3 duties, and obligations of the road district.

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

5 (605 ILCS 5/6-135 new)

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

8 (a) Any township in a county with a population less than
9 3,000,000 may abolish a road district of that township if the
10 roads of the road district are less than 15 miles in length, as
11 determined by the county engineer or county superintendent of
12 highways, by resolution of a majority of the board of trustees
13 to submit a referendum to abolish the road district of that
14 township. The referendum shall be submitted to the electors of
15 that township at the next general election or consolidated
16 election in accordance with the general election law. The
17 ballot shall be in substantially 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 referendum or on
4 the date the term of the highway commissioner in office at the
5 time the referendum was approved expires, whichever is later.

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

21 Section 99. Effective date. This Act takes effect January
22 1, 2018.