

# HB2697



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

**HB2697**

by Rep. David A. Welter

#### SYNOPSIS AS INTRODUCED:

605 ILCS 5/6-207

from Ch. 121, par. 6-207

Amends the Illinois Highway Code. Provides that if a highway commissioner does not fulfill his or her responsibility to remove snow from a roadway under his or her jurisdiction, the township may contract for snow removal by a private service using township funds. Provides that the costs incurred by the township may then be deducted from the highway commissioner's pay. Effective immediately.

LRB101 10103 TAE 55206 b

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Highway Code is amended by changing  
5 Section 6-207 as follows:

6 (605 ILCS 5/6-207) (from Ch. 121, par. 6-207)

7 Sec. 6-207. Compensation of highway commissioner and other  
8 officers.

9 (a) Unless an annual salary is fixed as provided in this  
10 Section, the highway commissioner shall receive for each day he  
11 or she is necessarily employed in the discharge of official  
12 duties a per diem to be fixed by the county board in road  
13 districts in counties not under township organization, by the  
14 highway board of trustees in consolidated township road  
15 districts, and by the board of town trustees in districts  
16 composed of a single township. Before any per diem is paid, a  
17 sworn statement shall be filed by the commissioner in the  
18 office of the district clerk, showing the number of days the  
19 commissioner was employed, the kind of employment, and the  
20 dates of employment.

21 The boards specified in the preceding paragraph may,  
22 instead of a per diem, fix an annual salary for the highway  
23 commissioner at not less than \$3,000, to be paid in equal

1 monthly installments. The boards shall fix the compensation of  
2 the commissioner, whether an annual salary or a per diem, on or  
3 before the last Tuesday in March before the date of election of  
4 the commissioner.

5 If the term of any highway commissioner is extended by  
6 operation of law, the board that fixes the commissioner's rate  
7 of compensation may increase the rate of the compensation,  
8 within the limits provided in this Section, in relation to that  
9 portion of the commissioner's term that extends beyond the  
10 period for which he or she was elected.

11 The board of town trustees shall order payment of the  
12 amount of per diem claimed in the highway commissioner's sworn  
13 statement at the first regular meeting following the filing of  
14 the statement. In consolidated township road districts, the  
15 compensation and the expenses of the offices of the highway  
16 commissioner, district clerk, and district treasurer shall be  
17 audited by the highway board of trustees.

18 The compensation of the highway commissioner shall be paid  
19 from the general township fund in districts comprised of a  
20 single township and shall be paid from the regular road fund in  
21 all other districts having highway commissioners; however, in  
22 districts comprised of a single township, a portion (not  
23 exceeding 50%) of the highway commissioner's salary may be paid  
24 from the corporate road and bridge fund or the permanent road  
25 fund if approved by the township board and the highway  
26 commissioner.

1       If a highway commissioner does not fulfill his or her  
2       responsibility to remove snow from a roadway under his or her  
3       jurisdiction, the township may contract for snow removal by a  
4       private service using township funds. The costs incurred by the  
5       township may then be deducted from the highway commissioner's  
6       compensation.

7       (b) The officers composing the highway board of trustees in  
8       consolidated township road districts shall be entitled to \$3  
9       per day for attending meetings of the board, to be paid out of  
10      the town fund of their respective townships. In consolidated  
11      township road districts, the compensation of the district clerk  
12      and the district treasurer shall be paid out of the road fund  
13      of the district.

14      (c) The district clerk shall receive:

15           (1) for each day he or she is necessarily employed in  
16           the discharge of official duties, a per diem to be fixed by  
17           the county board in road districts in counties not under  
18           township organization and by the highway board of trustees  
19           in consolidated township road districts; or

20           (2) \$4 per day for each day he or she shall be required  
21           to meet with the highway commissioner and the same amount  
22           per day for the time he or she shall be employed in  
23           canvassing the returns of elections. The district clerk  
24           shall receive no other per diem. In addition to the above,  
25           the district clerk shall also receive fees for the  
26           following services, to be paid out of the district road

1 fund, except where otherwise specified:

2 (A) For serving notice of election or appointment  
3 upon district officers as required by this Code, 25  
4 cents each.

5 (B) For posting up notices required by law, 25  
6 cents each.

7 (C) For copying any record in the district clerk's  
8 office and certifying to the copy, 10 cents for every  
9 100 words, to be paid by the person applying for the  
10 certified copy.

11 (d) Except as otherwise provided in this Code, the district  
12 treasurer shall, in addition to any other compensation to which  
13 he or she is by law entitled, receive an annual salary of not  
14 less than \$100 nor more than \$1,000 per year to be fixed by the  
15 highway board of trustees in consolidated township road  
16 districts and by the board of town trustees in districts  
17 composed of a single township.

18 Except as otherwise provided in this Code, the district  
19 treasurer shall, in addition to any other compensation to which  
20 he or she is by law entitled, receive an annual salary deemed  
21 appropriate and to be fixed by the county board in road  
22 districts in counties not under township organization.

23 The compensation of the district treasurer shall be paid  
24 from the general township fund in districts composed of a  
25 single township and shall be paid from the regular road fund in  
26 all other districts having district treasurers.

1 (Source: P.A. 89-662, eff. 8-14-96; 90-81, eff. 1-1-98; 90-183,  
2 eff. 1-1-98; 90-655, eff. 7-30-98.)

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