

1 AN ACT in relation to townships.

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

4 Section 5 The Township Code is amended by changing  
5 Section 30-50 as follows:

6 (60 ILCS 1/30-50)

7 Sec. 30-50. Purchase and use of property.

8 (a) The electors may make all orders for the purchase,  
9 sale, conveyance, regulation, or use of the township's  
10 corporate property (including the direct sale of single  
11 township road district property) that may be deemed conducive  
12 to the interests of its inhabitants, including the lease, for  
13 up to 10 years at fair market value, of corporate property  
14 for which no use or need during the lease period is  
15 anticipated at the time of leasing. The property may be  
16 leased to another governmental body, however, or to a  
17 not-for-profit corporation that has contracted to construct  
18 or fund the construction of a structure or improvement upon  
19 the real estate owned by the township and that has contracted  
20 with the township to allow the township to use at least a  
21 portion of the structure or improvement to be constructed  
22 upon the real estate leased and not otherwise used by the  
23 township, for any term not exceeding 50 years and for any  
24 consideration. In the case of a not-for-profit corporation,  
25 the township shall hold a public hearing on the proposed  
26 lease. The township clerk shall give notice of the hearing  
27 by publication in a newspaper published in the township, or  
28 in a newspaper published in the county and having general  
29 circulation in the township if no newspaper is published in  
30 the township, and by posting notices in at least 5 public  
31 places at least 10 days before the public hearing.

1           (b) If a new tax is to be levied or an existing tax rate  
2 is to be increased above the statutory limits for the  
3 purchase of the property, however, no action otherwise  
4 authorized in subsection (a) shall be taken unless a petition  
5 signed by at least 10% of the registered voters residing in  
6 the township is presented to the township clerk. If a  
7 petition is presented to the township clerk, the clerk shall  
8 order a referendum on the proposition. The referendum shall  
9 be held at the next annual or special township meeting or at  
10 an election in accordance with the general election law. If  
11 the referendum is ordered to be held at the township meeting,  
12 the township clerk shall give notice that at the next annual  
13 or special township meeting the proposition shall be voted  
14 upon. The notice shall set forth the proposition and shall  
15 be given by publication in a newspaper published in the  
16 township. If there is no newspaper published in the township,  
17 the notice shall be published in a newspaper published in the  
18 county and having general circulation in the township. Notice  
19 also shall be given by posting notices in at least 5 public  
20 places at least 10 days before the township meeting. If the  
21 referendum is ordered to be held at an election, the township  
22 clerk shall certify that proposition to the proper election  
23 officials, who shall submit the proposition at an election.  
24 The proposition shall be submitted in accordance with the  
25 general election law.

26           (c) If the leased property is utilized in part for  
27 private use and in part for public use, those portions of the  
28 improvements devoted to private use are fully taxable. The  
29 land is exempt from taxation to the extent that the uses on  
30 the land are public and taxable to the extent that the uses  
31 are private.

32           (d) Before the township makes a lease or sale of  
33 township or road district real or personal property, unless  
34 the personal property has a sale value of \$5,000 or less \$200

1 ~~er--less~~, the electors shall adopt a resolution stating the  
2 intent to lease or sell the real or personal property,  
3 describing the property in full, and stating the terms and  
4 conditions the electors deem necessary and desirable for the  
5 lease or sale. A resolution stating the intent to sell real  
6 property shall also contain pertinent information concerning  
7 the size, use, and zoning of the property. The value of real  
8 property shall be determined by a State licensed real estate  
9 appraiser. The appraisal shall be available for public  
10 inspection. The resolution may direct the sale to be  
11 conducted by the staff of the township or by listing with  
12 local licensed real estate agencies (in which case the terms  
13 of the agent's compensation shall be included in the  
14 resolution).

15 When a township sells township or road district personal  
16 property valued for sale at \$5,000 or less ~~\$200-er-less~~, the  
17 electors are not required to adopt a resolution. Prior to  
18 the sale, the clerk shall prepare a notice stating the intent  
19 of the township or road district to sell personal property  
20 with a sale value of \$5,000 or less ~~\$200--er-less~~ and  
21 describing the property in full.

22 The clerk shall thereafter publish the resolution or  
23 personal property sale notice once in a newspaper published  
24 in the township or, if no newspaper is published in the  
25 township, in a newspaper generally circulated in the  
26 township. If no newspaper is generally circulated in the  
27 township, the clerk shall post the resolution or personal  
28 property sale notice in 5 of the most public places in the  
29 township. In addition to the foregoing publication  
30 requirements, the clerk shall post the resolution or personal  
31 property sale notice at the office of the township (if  
32 township property is involved) or at the office of the road  
33 district (if road district property is involved). The  
34 following information shall be published or posted with the

1 resolution or personal property sale notice: (i) the date by  
2 which all bids must be received by the township or road  
3 district, which shall not be less than 30 days after the date  
4 of publication or posting, and (ii) the place, time, and date  
5 at which bids shall be opened, which shall be at a regular  
6 meeting of the township board.

7 All bids shall be opened by the clerk (or someone duly  
8 appointed to act for the clerk) at the regular meeting of the  
9 township board described in the notice. With respect to  
10 township personal property, except personal property valued  
11 for sale at \$5,000 or less ~~\$200-er-less~~, the township board  
12 may accept the high bid or any other bid determined to be in  
13 the best interests of the township by a majority vote of the  
14 board. With respect to township real property, the township  
15 board may accept the high bid or any other bid determined to  
16 be in the best interests of the township by a vote of  
17 three-fourths of the township board then holding office, but  
18 in no event at a price less than 80% of the appraised value.  
19 With respect to road district property, except personal  
20 property valued for sale at \$5,000 or less ~~\$200-er-less~~, the  
21 highway commissioner may accept the high bid or any other bid  
22 determined to be in the best interests of the road district.  
23 In each case, the township board or commissioner may reject  
24 any and all bids. With respect to township or road district  
25 personal property valued for sale at \$5,000 or less ~~\$200--er~~  
26 ~~less~~, the clerk shall accept at least 2 bids and the township  
27 board or highway commissioner shall accept the highest bid.  
28 This notice and competitive bidding procedure shall not be  
29 followed when property is leased to another governmental  
30 body. The notice and competitive bidding procedure shall not  
31 be followed when property is declared surplus by the electors  
32 and sold to another governmental body.

33 (e) A trade-in of machinery or equipment on new or  
34 different machinery or equipment does not constitute the sale

1 of township or road district property.

2 (Source: P.A. 89-100, eff. 7-7-95; 89-331, eff. 8-17-95;  
3 89-626, eff. 8-9-96; 90-751, eff. 1-1-99.)

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