



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB1926

Introduced 2/10/2011, by Sen. Terry Link

SYNOPSIS AS INTRODUCED:

New Act

Creates the Local Government Consolidation Commission Act. Establishes the Local Government Consolidation Commission to create a recommended list of units of local government to be abolished or consolidated. Provides that the Commission shall submit its recommended list to the General Assembly by no later than April 1, 2012. Sets forth the requirements for the recommended list. Provides that the General Assembly may disapprove the list of the Commission in whole, but may not disapprove of specific types of units of local government or specifically named units of local government on the list, within 30 calendar days after each chamber next convenes after the list is submitted to the General Assembly, by adoption of a resolution by a record vote of the majority of the members elected in each house. Provides that if the recommended list is not disapproved by the General Assembly within the time period for disapproval, then the Legislative Reference Bureau shall prepare for introduction a revisory bill effecting the changes in the statutes as may be necessary to conform the statutes to the changes in law made by the recommended list. Effective immediately.

LRB097 06003 RLJ 46074 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning government.

2 WHEREAS, According to the United States Census Bureau,
3 Illinois had 6,994 units of local government in 2007, the most
4 units of local government of any state in the country; and

5 WHEREAS, Multiple layers of units of local government can
6 be inefficient and lead to a duplication of services; and

7 WHEREAS, Most units of local government have the power to
8 levy ad valorem property taxes; and

9 WHEREAS, The power of units of local government to levy
10 taxes can lead to an increased property tax burden for Illinois
11 citizens; therefore,

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

14 Section 1. Short title. This Act may be cited as the Local
15 Government Consolidation Commission Act.

16 Section 5. Definitions. As used in this Act:

17 "Commission" means the Local Government Consolidation
18 Commission created by this Act.

19 "Unit of local government" means a unit of local government
20 as defined in Section 1 of Article VII of the Illinois
21 Constitution. The term does not include a school district or
22 community college district.

1 Section 10. Commission; creation; members. There is
2 created a Local Government Consolidation Commission, to
3 consist of 8 members, 2 members appointed by the President of
4 the Senate, 2 members appointed by the Minority Leader of the
5 Senate, 2 members appointed by the Speaker of the House of
6 Representatives, and 2 members appointed by the Minority Leader
7 of the House of Representatives. No member may be a local
8 government official.

9 Section 15. Meetings; officers. The members of the
10 Commission shall meet and the Commission shall be organized
11 within 30 days after the effective date of this Act, and shall
12 at that time elect a chair from among the members.

13 Section 20. Compensation; expenses. The members of the
14 Commission shall serve without compensation, but may be
15 reimbursed for necessary traveling expenses incurred in the
16 performance of their official duties.

17 Section 25. Administrative support. The Commission shall
18 receive administrative and other support from the Legislative
19 Reference Bureau.

20 Section 30. Recommended list.

21 (a) The Commission shall create a recommended list of units

1 of local government to be abolished or consolidated and shall
2 determine, upon a vote requiring at least 5 affirmative votes,
3 the units of local government to be included on the recommended
4 list. The recommended list may include the consolidation or
5 elimination of a specific type of unit of local government or a
6 specific unit of local government designated by name and the
7 county in which it is located.

8 In determining the units of local government to be
9 abolished or consolidated and any other matter under subsection
10 (b) or (c) the Commission must consider the following:

11 (1) The provisions of the Illinois Constitution and
12 State law governing the establishment, organization,
13 jurisdiction, and functions of units of local government.

14 (2) The costs and benefits to the State and other units
15 of local government.

16 (3) The elimination of inefficiencies, duplicate
17 administrative services, and costs to the State and other
18 units of local government.

19 (4) The interests and welfare of the public.

20 (b) For each unit of local government included on the
21 recommended list, the Commission must:

22 (1) Set forth whether the unit of local government is
23 to be abolished or consolidated.

24 (2) Provide for the transfer of all assets and
25 liabilities of the unit of local government.

26 (3) Provide for the transfer or other disposition of

1 personnel records, documents, books, and other property,
2 both real and personal, of the unit of local government.

3 (4) Set forth all acts of the General Assembly affected
4 by the abolishing or consolidating of the unit of local
5 government.

6 (c) For each specific type of unit of local government
7 included on the recommended list, the Commission must:

8 (1) Set forth whether the type of unit of local
9 government is to be abolished or consolidated.

10 (2) List all of the units of local government, by name
11 and the county in which the unit of local government is
12 located, that will be abolished or consolidated as a result
13 of abolishing or consolidating that type of unit of local
14 government.

15 (3) Provide for the transfer of all assets and
16 liabilities of the affected units of local government.

17 (4) Provide for the transfer or other disposition of
18 personnel records, documents, books, and other property,
19 both real and personal, of the affected units of local
20 government.

21 (5) Set forth all acts of the General Assembly affected
22 by the abolishing or consolidating of that type of unit of
23 local government.

24 (d) The Commission must conduct at least 3 public hearings
25 before creating the recommended list and at least 3 public
26 hearings after creating, but before submitting, the

1 recommended list to the General Assembly. At the public
2 hearings, the Commission shall allow interested persons to
3 present their views and comments. The Commission may adopt
4 reasonable rules for the conduct of the public hearings.

5 (e) The Commission shall file the recommended list with the
6 General Assembly by no later than April 1, 2012. If the
7 recommended list abolishes or consolidates a unit of local
8 government, then the unit of local government shall be
9 abolished or consolidated one year after the time period for
10 disapproval, as provided in Section 35, has expired.

11 Section 35. Disapproval of recommended list.

12 (a) If the Commission fails to submit a recommended list to
13 the General Assembly or the General Assembly disapproves the
14 list as provided in subsection (b), then no changes shall be
15 made under this Act to any unit of local government.

16 (b) The General Assembly may disapprove the list of the
17 Commission in whole, but may not disapprove of specific types
18 of units of local government or specifically named units of
19 local government on the list, within 60 calendar days after
20 each chamber next convenes after the list is submitted to the
21 General Assembly, by adoption of a resolution by a record vote
22 of the majority of the members elected in each house directed
23 to the Commission. The resolution shall be binding on the
24 Commission.

1 Section 40. Revisory bill. If the recommended list is not
2 disapproved within the time period for disapproval as set forth
3 in Section 35, then the Legislative Reference Bureau shall
4 prepare for introduction no later than in the first annual
5 session of the General Assembly next occurring after the
6 recommended list takes effect a revisory bill effecting the
7 changes in the statutes as may be necessary to conform the
8 statutes to the changes in law made by the recommended list.

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.