



Rep. Sam Yingling

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09800HB5645ham001

LRB098 18917 MLW 56835 a

1 AMENDMENT TO HOUSE BILL 5645

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5645 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Highway Code is amended by adding  
5 Section 6-134 as follows:

6 (605 ILCS 5/6-134 new)

7 Sec. 6-134. Township road district; private roadways.

8 (a) For purposes of this Section, a "neighborhood  
9 organization" includes a homeowners' association, property  
10 owners' association, or any similar entity.

11 (b) A neighborhood organization that oversees a  
12 residential neighborhood that (A) exists within the  
13 unincorporated boundaries of any township road district; and  
14 (B) has residential roadways considered to be private roadways  
15 maintained by the neighborhood organization may vote to declare  
16 the private roadways to be public roadways. This declaration

1 must be in the form of a resolution drafted by the neighborhood  
2 organization and voted on by the neighborhood organization's  
3 members as described in this Section. If the resolution is  
4 approved the neighborhood organization must submit the  
5 approved resolution to the highway commissioner and the county  
6 clerk. All authority and control over the roadways shall be  
7 transferred to the township road district where the residential  
8 neighborhood is located 21 days after the resolution is filed  
9 with the highway commissioner and the county clerk. Rules,  
10 specifications, and regulations regarding location, width,  
11 grades, surface, and drainage structures applicable to  
12 township road district roads that apply on the date of the  
13 transfer shall not apply to a roadway transferred under this  
14 Section.

15 (c) The governing board of any neighborhood organization  
16 seeking to transfer the private roadways under its jurisdiction  
17 to the public must:

18 (1) provide members ample notification of the vote, its  
19 purpose, and the date and time of the meeting when the vote  
20 is to be held, no less than 14 days before; and

21 (2) obtain a majority of affirmative votes of those  
22 present at the meeting.

23 (d) This Section shall only apply to areas that meet the  
24 following qualifications:

25 (1) the roadways to be turned over must be located  
26 within the boundaries of a county whose population is no

1       less than 500,000 people as determined by the most recent  
2       U.S. Census;

3       (2) the majority of the neighborhood which the  
4       neighborhood organization oversees was platted before  
5       1970;

6       (3) the neighborhood organization must be comprised of  
7       more than 5 residential units; and

8       (4) the roadways cannot be part of a gated community,  
9       have a guard post, or have any physical obstructions that  
10      prevent ongoing and regular access by the general public."