



Sen. Melinda Bush

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1 AMENDMENT TO SENATE BILL 388

2 AMENDMENT NO. _____. Amend Senate Bill 388 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by adding Sections
5 3-7 and 28-1 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

1 are elected next following the certification of a successful
2 referendum to dissolve a township and merge its territory into
3 2 adjacent townships under Article 23 of the Township Code, the
4 qualified electors entitled to caucus, vote for, be nominated
5 for, and run for offices in a receiving township shall also
6 include those registered voters residing in the territory of
7 the dissolving township described in the resolutions adopted
8 under Section 23-10 of the Township Code as the territory to be
9 merged with the receiving township. For purposes of this
10 subsection (b) only, "dissolving township" and "receiving
11 township" have the meaning provided in Section 23-5 of the
12 Township Code.

13 (10 ILCS 5/28-1) (from Ch. 46, par. 28-1)

14 Sec. 28-1. The initiation and submission of all public
15 questions to be voted upon by the electors of the State or of
16 any political subdivision or district or precinct or
17 combination of precincts shall be subject to the provisions of
18 this Article.

19 Questions of public policy which have any legal effect
20 shall be submitted to referendum only as authorized by a
21 statute which so provides or by the Constitution. Advisory
22 questions of public policy shall be submitted to referendum
23 pursuant to Section 28-5 or pursuant to a statute which so
24 provides.

25 The method of initiating the submission of a public

1 question shall be as provided by the statute authorizing such
2 public question, or as provided by the Constitution.

3 All public questions shall be initiated, submitted and
4 printed on the ballot in the form required by Section 16-7 of
5 this Act, except as may otherwise be specified in the statute
6 authorizing a public question.

7 Whenever a statute provides for the initiation of a public
8 question by a petition of electors, the provisions of such
9 statute shall govern with respect to the number of signatures
10 required, the qualifications of persons entitled to sign the
11 petition, the contents of the petition, the officer with whom
12 the petition must be filed, and the form of the question to be
13 submitted. If such statute does not specify any of the
14 foregoing petition requirements, the corresponding petition
15 requirements of Section 28-6 shall govern such petition.

16 Irrespective of the method of initiation, not more than 3
17 public questions other than (a) back door referenda, (b)
18 referenda to determine whether a disconnection may take place
19 where a city coterminous with a township is proposing to annex
20 territory from an adjacent township, (c) referenda held under
21 the provisions of the Property Tax Extension Limitation Law in
22 the Property Tax Code, ~~or~~ (d) referenda held under Section
23 2-3002 of the Counties Code, or (e) referenda held under
24 Article 22, 23 or 29 of the Township Code may be submitted to
25 referendum with respect to a political subdivision at the same
26 election.

1 If more than 3 propositions are timely initiated or
2 certified for submission at an election with respect to a
3 political subdivision, the first 3 validly initiated, by the
4 filing of a petition or by the adoption of a resolution or
5 ordinance of a political subdivision, as the case may be, shall
6 be printed on the ballot and submitted at that election.
7 However, except as expressly authorized by law not more than
8 one proposition to change the form of government of a
9 municipality pursuant to Article VII of the Constitution may be
10 submitted at an election. If more than one such proposition is
11 timely initiated or certified for submission at an election
12 with respect to a municipality, the first validly initiated
13 shall be the one printed on the ballot and submitted at that
14 election.

15 No public question shall be submitted to the voters of a
16 political subdivision at any regularly scheduled election at
17 which such voters are not scheduled to cast votes for any
18 candidates for nomination for, election to or retention in
19 public office, except that if, in any existing or proposed
20 political subdivision in which the submission of a public
21 question at a regularly scheduled election is desired, the
22 voters of only a portion of such existing or proposed political
23 subdivision are not scheduled to cast votes for nomination for,
24 election to or retention in public office at such election, but
25 the voters in one or more other portions of such existing or
26 proposed political subdivision are scheduled to cast votes for

1 nomination for, election to or retention in public office at
2 such election, the public question shall be voted upon by all
3 the qualified voters of the entire existing or proposed
4 political subdivision at the election.

5 Not more than 3 advisory public questions may be submitted
6 to the voters of the entire state at a general election. If
7 more than 3 such advisory propositions are initiated, the first
8 3 timely and validly initiated shall be the questions printed
9 on the ballot and submitted at that election; provided however,
10 that a question for a proposed amendment to Article IV of the
11 Constitution pursuant to Section 3, Article XIV of the
12 Constitution, or for a question submitted under the Property
13 Tax Cap Referendum Law, shall not be included in the foregoing
14 limitation.

15 (Source: P.A. 93-308, eff. 7-23-03.)

16 Section 10. The Counties Code is amended by changing the
17 heading of Division 2-4 and by changing Section 2-4006 as
18 follows:

19 (55 ILCS 5/Div. 2-4 heading)

20 Division 2-4. Counties not under
21 Township Organization
22 Organized as a Commission
23 Form of Government

1 (55 ILCS 5/2-4006)

2 Sec. 2-4006. Terms of commissioners.

3 (a) In every county not under township organization that is
4 organized as a commission form of government having 3
5 commissioners elected at large as described in subsection (b)
6 or (c), the commissioners shall be elected as provided in this
7 Section.

8 (b) In a county in which one commissioner was elected at
9 the general election in 1992 to serve for a term of 4 years and
10 in which 2 commissioners will be elected at the general
11 election in 1994, the commissioner elected in 1994 and
12 receiving the greatest number of votes shall serve for a term
13 of 6 years. The other commissioner elected in 1994 shall serve
14 for a term of 4 years. At the general election in 1996 and at
15 each general election thereafter, one commissioner shall be
16 elected to serve for a term of 6 years.

17 (c) In a county in which 2 commissioners were elected at
18 the general election in 1992 to serve for terms of 4 years and
19 in which one commissioner will be elected at the general
20 election in 1994, the commissioner elected in 1994 shall serve
21 for a term of 4 years. The commissioner elected in 1996 and
22 receiving the greatest number of votes shall serve for a term
23 of 6 years. The other commissioner elected in 1996 shall serve
24 for a term of 4 years. At the general election in 1998 and at
25 each general election thereafter, one commissioner shall be
26 elected to serve for a term of 6 years.

1 (c-5) In Calhoun County, Edwards County, and Union County,
2 the registered voters of the county may, upon referendum
3 initiated by (i) the adoption of a resolution of the board of
4 county commissioners or (ii) a petition signed by not less than
5 10% of the registered voters in the county, determine that the
6 board of county commissioners shall consist of 5 commissioners
7 elected at large. The commissioners must certify the question
8 to the proper election authority, which must submit the
9 question at an election in accordance with the general election
10 law.

11 The question shall be submitted in substantially the
12 following form:

13 "Shall the board of county commissioners of (county)
14 consist of 5 commissioners elected at large?"

15 Votes must be recorded as "Yes" or "No". If a majority of
16 the electors voting on the question vote in the affirmative,
17 then a 5-member board of county commissioners shall be
18 established beginning with the next general election. The
19 County Clerk, in consultation with the State's Attorney for the
20 county, shall develop and present to the board of county
21 commissioners, to implement by the adoption of a resolution,
22 the transition of terms for the current 3-member board of
23 commissioners and the addition of 2 commissioners for 6-year
24 terms. Thereafter, commissioners shall be elected at each
25 general election to fill expired terms.

26 (d) The provisions of this Section do not apply to

1 commissioners elected under Section 2-4006.5 of this Code.

2 (Source: P.A. 96-175, eff. 8-10-09.)

3 Section 15. The Township Code is amended by adding Articles
4 22, 23, and 29, and by changing Sections 25-25 and 65-20 as
5 follows:

6 (60 ILCS 1/Art. 22 heading new)

7 ARTICLE 22. CONSOLIDATION OF
8 MULTIPLE TOWNSHIPS

9 (60 ILCS 1/22-5 new)

10 Sec. 22-5. Resolution for consolidation; notice.

11 (a) Notwithstanding any other provision of law to the
12 contrary, the township boards of any 2 or more adjacent
13 townships may, by identical resolutions of each board, propose
14 consolidation by referendum: (i) into a new township; or (ii)
15 into an existing township. Each resolution shall include, but
16 is not limited to, the following:

17 (1) the name of the proposed new consolidated township
18 or the name of the existing township into which all
19 townships will be consolidated;

20 (2) a description of how each road district or road
21 districts of a dissolving township shall comply with
22 subsection (c) of Section 22-20 if a township will be
23 consolidating into an existing township;

1 (3) the names of all townships that will be
2 consolidating and a description of the area of
3 consolidation; and

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

6 All resolutions shall be passed not less than 79 days
7 before the general election stated in the resolutions. For
8 purposes of this Section, 3 or more townships are adjacent when
9 each township shares a boundary with at least one of the other
10 townships which are to be consolidated.

11 (b) Before passing a resolution under subsection (a), each
12 township board shall hold a public hearing on those matters
13 after notice of the hearing has been published in a newspaper
14 having a general circulation in the townships affected. The
15 notice shall be published at least 30 days before the date of
16 the hearing. The notice shall contain, at a minimum, the name
17 of all townships that will be consolidating and a description
18 of the area of consolidation.

19 (60 ILCS 1/22-10 new)

20 Sec. 22-10. Referendum.

21 (a) Upon the adoption of resolutions under Section 22-5 by
22 each township, 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 each township at the general
25 election specified in the resolutions a referendum to

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

3 Shall (names of townships) be consolidated into [a new
4 township called (name of proposed consolidated
5 township)/the township of (name of existing township)]?

6 The votes shall be recorded as "Yes" or "No". The
7 referendum is approved when a majority of the voters, in each
8 of the affected townships, approve the referendum.

9 (b) Before a referendum appears on the ballot under
10 subsection (a), each township board shall publish a copy of the
11 adopted resolution in a newspaper having a general circulation
12 in each of the townships affected. The notice shall be
13 published at least 30 days before the date of the general
14 election in which the referendum will appear.

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

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

1 Property Tax Extension Limitation Law or other statutory
2 provision setting forth that limitation.

3 (60 ILCS 1/22-15 new)

4 Sec. 22-15. Transition. Notwithstanding any other
5 provision of law to the contrary, upon the approval of a
6 referendum under Section 22-10:

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

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

22 (c) The Transition Township Board shall hold a public
23 hearing no later than the last Tuesday in December before the
24 consolidated township board of trustees are elected next
25 following the approval of a referendum under Section 22-10. If

1 the Board cannot agree on the compensation for an official by
2 the first Tuesday in April before the consolidated election of
3 township officials next following the approval of a referendum
4 under Section 22-10, then the compensation for that official
5 shall be equal to the lowest compensation for the same office
6 between the separate townships in the previous calendar year.

7 (d) The separate townships shall not incur any additional
8 debt without the approval of the Transition Township Board. For
9 purposes of this Section, "debt" shall have the meaning
10 ascribed to that term in Section 23-5.

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

16 (60 ILCS 1/22-20 new)

17 Sec. 22-20. Consolidated township.

18 (a) On the third Monday of May of the year in which
19 township officials are elected following the approval of a
20 referendum under Section 22-10 the following shall occur:

21 (1) the separate townships cease and the consolidated
22 township is created;

23 (2) all rights, powers, duties, assets, and property,
24 together with all personnel, contractual obligations,
25 other obligations, responsibilities, and liabilities of

1 the separate townships are transferred to the consolidated
2 township; those rights include, but are not limited to, the
3 authority to continue to collect, receive, and expend the
4 proceeds of any tax levied by any of the separate townships
5 prior to the creation of the consolidated township without
6 an additional ordinance, resolution, or referendum; the
7 proceeds of any tax levied by any of the separate townships
8 prior to the creation of the consolidated township shall be
9 expended or disposed of by the consolidated township in the
10 same manner as such assessments might have been expended or
11 disposed of by the separate townships; however, if the
12 consolidated township board determines that there is a
13 surplus in the fund for general township purposes on
14 December 31 of the calendar year in which the consolidation
15 occurs, then any portion of the surplus that is solely
16 attributable to the consolidation shall be refunded to the
17 owners of record of taxable property within the
18 consolidated district on a pro rata basis; and

19 (3) road districts located within the separate
20 townships are abolished.

21 (b) When a new township is created, a new road district
22 encompassing the consolidated township is created. All the
23 rights, powers, duties, assets, property, liabilities,
24 obligations, and responsibilities of the separate road
25 districts shall vest in and be assumed by the new road district
26 as provided for in the resolutions adopted under Section 22-5.

1 The new township board of trustees shall exercise the taxing
2 authority of a road district abolished under this Section. The
3 highway commissioners of the abolished road districts shall
4 cease to hold office on the date the road district is
5 abolished. The new township board shall exercise all duties and
6 responsibilities of the highway commissioner as provided in the
7 Illinois Highway Code. For purposes of distribution of revenue,
8 the new township shall assume the powers, duties, and
9 obligations of the road district of the dissolving road
10 district. The new township board may enter into a contract with
11 the county, a municipality, or a private contractor to
12 administer the roads under the new road district.

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

1 obligations of the road district of the dissolving road
2 district.

3 (60 ILCS 1/Art. 23 heading new)

4 ARTICLE 23. MERGER OF A SINGLE
5 TOWNSHIP INTO TWO OTHER TOWNSHIPS

6 (60 ILCS 1/23-5 new)

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

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

11 "Dissolving township" means a township which is proposed to
12 be dissolved into and be merged with 2 other adjacent
13 townships.

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

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

23 "Receiving township" means a township into which a portion
24 of the dissolving township will be merged.

1 (60 ILCS 1/23-10 new)

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

3 (a) Notwithstanding any other provision of law to the
4 contrary, the township boards of any 3 adjacent townships may,
5 by identical resolutions of each board, propose that a township
6 which borders the other 2 townships be dissolved by referendum
7 and all rights, powers, duties, assets, and property, together
8 with all personnel, contractual obligations, other
9 obligations, responsibilities, and liabilities of the
10 dissolving township transferred to the receiving townships.
11 Each resolution shall include, but is not limited to, the
12 following:

13 (1) a legal description of the former territory of the
14 dissolving township each receiving township will take upon
15 the dissolution of the dissolving township;

16 (2) a description of how all assets and property,
17 together with all personnel, contractual obligations,
18 other obligations, responsibilities, and liabilities of
19 the dissolving township will be transferred to the
20 receiving townships;

21 (3) the tax rates for general township purposes for the
22 immediately preceding levy year, as extended and collected
23 in the year in which the resolution is adopted, for the
24 dissolving township and each receiving township;

25 (4) a description and amount of all debt each receiving

1 township shall assume after the dissolving township
2 dissolves. The debt shall be assumed by each receiving
3 township in equal proportion to the equalized assessed
4 value of the land and property that will be received by
5 each receiving township from the dissolving township
6 unless otherwise agreed to in the resolutions;

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

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

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

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

23 (60 ILCS 1/23-15 new)

24 Sec. 23-15. Referendum and notices.

25 (a) Upon the adoption of resolutions under Section 23-10 by

1 all townships, the township boards shall certify the question
2 to the election authority and the authority shall cause to be
3 submitted to the voters of all townships at the general
4 election specified in the resolutions a referendum to
5 consolidate the townships. The referendum shall be
6 substantially in the form:

7 Shall (name of dissolving township) be dissolved into
8 (names of receiving townships)?

9 The votes shall be recorded as "Yes" or "No". The
10 referendum is approved when a majority of the voters, in each
11 of the affected townships, approve the referendum.

12 (b) Before a referendum appears on the ballot under
13 subsection (a), the township boards shall publish a copy of the
14 adopted resolution in a newspaper having a general circulation
15 in each of the townships affected. The notice shall be
16 published at least 30 days before the date of the general
17 election.

18 Each township board shall additionally mail a copy of the
19 adopted resolution, along with a copy of the referendum
20 language and a list of all taxes levied for general township
21 purposes in the affected townships, to every registered voter
22 in each township affected. The notice shall be mailed at least
23 30 days before the date of the general election in which the
24 referendum will appear.

1 Sec. 23-20. Transition.

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

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

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

23 (3) each Transition Township Board shall hold a public
24 meeting no later than the first Tuesday in April before the
25 receiving townships' boards of trustees are elected at the
26 consolidated election next following the approval of a

1 referendum under Section 23-15. At this public meeting, the
2 Transition Township Board shall provide for the
3 compensation for all township officials that will be
4 elected at the consolidated election. If the Board cannot
5 agree on the compensation for an official, then the
6 compensation for the same office between the receiving and
7 dissolving townships shall be the lower compensation for
8 the office in the dissolving township or receiving
9 township;

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

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

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

24 (60 ILCS 1/23-25 new)

25 Sec. 23-25. Merged township. On the third Monday of May of

1 the year in which township officials are elected following the
2 approval of a referendum under Section 23-15 the following
3 shall occur:

4 (a) The dissolving township ceases.

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

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

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

11 (60 ILCS 1/25-25)

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

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

2 (60 ILCS 1/Art. 29 heading new)

3 ARTICLE 29. DISCONTINUANCE OF
4 TOWNSHIP WITHIN COTERMINOUS
5 MUNICIPALITY: ALL TOWNSHIPS

6 (60 ILCS 1/29-5 new)

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

19 (60 ILCS 1/29-10 new)

20 Sec. 29-10. Notice.

21 (a) Before passing resolutions under Section 29-5, the
22 township board and the corporate authorities of the
23 municipality shall hold public hearings on those matters after

1 notice of the hearing has been published in a newspaper having
2 general circulation in the township and municipality. The
3 notice shall be published at least 30 days before the date of
4 the hearing.

5 (b) Before a referendum is placed on the ballot under
6 Section 29-15, each township board shall publish a copy of the
7 resolution adopted under Section 29-5 in a newspaper of general
8 circulation in the township and municipality affected. The
9 notice shall be published at least 30 days before the date of
10 the general election in which the referendum will appear.

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

18 (60 ILCS 1/29-15 new)

19 Sec. 29-15. Referendum for cessation of township. Upon the
20 adoption of resolutions under Section 29-5 by both the township
21 and municipality, the township board and corporate authorities
22 of the municipality shall certify the question to the election
23 authority and the authority shall cause to be submitted to the
24 voters of the township and municipality at the next election a
25 referendum to discontinue the township and to transfer all the

1 rights, powers, duties, assets, property, liabilities,
2 obligations, and responsibilities of the township to the
3 municipality. The referendum shall be substantially in the
4 form:

5 Shall the township of (name of township) Township
6 cease?

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

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

18 (60 ILCS 1/29-20 new)

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

23 (1) the township is discontinued and abolished and all
24 the rights, powers, duties, assets, property, liabilities,
25 obligations, and responsibilities of the township shall

1 vest in and be assumed by the municipality, including the
2 authority to levy property taxes for township purposes in
3 the same manner as the dissolved township without an
4 additional ordinance, resolution, or referendum;

5 (2) all townships officers shall cease to hold office;

6 (3) the municipality shall exercise all duties and
7 responsibilities of the township officers as provided in
8 the Township Code, the Illinois Public Aid Code, the
9 Property Tax Code, and the Illinois Highway Code, as
10 applicable. The municipality may enter into an
11 intergovernmental agreement with the county or the State to
12 administer the duties and responsibilities of the township
13 officers for services under its jurisdiction; and

14 (4) any road district located within the township is
15 abolished and its jurisdiction, rights, powers, duties,
16 assets, property, liabilities, obligations, and
17 responsibilities shall vest in and be assumed by the
18 municipality and the highway commissioner of the abolished
19 road district shall cease to hold office. The corporate
20 authorities of the municipality shall: exercise the taxing
21 authority of a road district abolished under this Section;
22 exercise all duties and responsibilities of the highway
23 commissioner as provided in the Illinois Highway Code; and
24 for purposes of distribution of revenue, assume the powers,
25 duties, and obligations of the road district in the
26 discontinued township. The corporate authorities of a

1 municipality may enter into an intergovernmental agreement
2 or a contract with the county, another municipality, or a
3 private contractor to administer the roads which were under
4 the jurisdiction of the abolished road district.

5 (60 ILCS 1/29-25 new)

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

13 (60 ILCS 1/65-20)

14 Sec. 65-20. Road district treasurer; new township;
15 multi-township officers.

16 (a) Compensation of township officers shall be set by the
17 township board at least 180 days before the beginning of the
18 terms of officers, including compensation of the road district
19 treasurer, which shall be not less than \$100 or more than
20 \$1,000 per year. Compensation of a township assessor and
21 collector shall be set at the same time as the compensation of
22 the township supervisor. Compensation of a multi-township
23 assessor shall be set at least 150 days before his or her
24 election.

1 (b) The compensation to be paid to each officer in a new
2 township established under Section 10-25 shall be determined
3 under this Section by the township board of the township the
4 whole or a part of which comprises the new township and that
5 has the highest equalized assessed valuation (as of December
6 31, 1972) of the old townships that comprise the new township.

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

11 (d) For the first term of a township consolidated or merged
12 under Article 22 or 23, compensation for township officers of
13 the consolidated or merged township shall be set by the
14 Township Transition Board no later than the first day in April
15 before the consolidated election at which the township officers
16 are to be elected.

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

18 Section 99. Effective date. This Act takes effect upon
19 becoming law."