

1 AN ACT in relation to highways.

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  
5 changing Sections 6-201.7 and 6-508 as follows:

6 (605 ILCS 5/6-201.7) (from Ch. 121, par. 6-201.7)

7 Sec. 6-201.7. Construct, maintain and repair and be  
8 responsible for the construction, maintenance and repair of  
9 roads within the district, let contracts, employ labor and  
10 purchase material and machinery therefor, subject to the  
11 limitations provided in this Code. No contract shall be let  
12 for the construction or repair of any road or part thereof in  
13 excess of the amount of \$10,000 \$5,000, nor shall any  
14 material, machinery or other appliances to be used in road  
15 construction or maintenance of roads in excess of such amount  
16 be purchased, nor shall several contracts each for an amount  
17 of \$10,000 \$5,000 or less be let for the construction or  
18 repair of any road or part thereof when such construction or  
19 repair is in reality part of one project costing more than  
20 \$10,000 \$5,000, nor shall any material, machinery or other  
21 appliance to be used therein be purchased under several  
22 contracts each for an amount of \$10,000 \$5,000 or less, if  
23 such purchases are essentially one transaction amounting to  
24 more than \$10,000 \$5,000, without the written approval of the  
25 county superintendent of highways in the case of road  
26 districts other than consolidated township road districts or  
27 without the written approval of the highway board of auditors  
28 in the case of consolidated township road districts.

29 Except for professional services, when the cost of  
30 construction, materials, supplies, new machinery or equipment  
31 exceeds \$5,000,--or \$10,000 in-case-of-a-district-having-a

1 population--of--10,000--or--more, the contract for such  
 2 construction, materials, supplies, machinery or equipment  
 3 shall be let, after the above written approval is obtained,  
 4 to the lowest responsible bidder after advertising for bids  
 5 at least once, and at least 10 days prior to the time set for  
 6 the opening of such bids, in a newspaper published within the  
 7 township or road district, or, if no newspaper is published  
 8 within the township or road district then in one published  
 9 within the county, or, if no newspaper is published within  
 10 the county then in a newspaper having general circulation  
 11 within the township or road district, but, in case of an  
 12 emergency, such contract may be let without advertising for  
 13 bids upon the approval of the County Superintendent of  
 14 Highways expressing in writing the existence of such  
 15 emergency and, in the case of consolidated township road  
 16 districts, upon the approval of the highway board of  
 17 auditors. For purposes of this Section "new machinery or  
 18 equipment" shall be defined as that which has been previously  
 19 untitled or that which shows fewer than 200 hours on its  
 20 operating clock and that is accompanied by a new equipment  
 21 manufacturer's warranty.

22 (Source: P.A. 86-1179; 86-1368; 86-1475.)

23 (605 ILCS 5/6-508) (from Ch. 121, par. 6-508)

24 Sec. 6-508. (a) For the purpose of constructing or  
 25 repairing bridges, culverts, drainage structures or grade  
 26 separations, including approaches thereto, at the joint  
 27 expense of a county and a road district and obtaining aid  
 28 from the county as provided in Section 5-501 of this Code,  
 29 there may be included in the annual tax levies provided for  
 30 in Section 6-501 of this Code a tax of not to exceed .05% of  
 31 the value of all the taxable property in the road district,  
 32 as equalized or assessed by the Department of Revenue, which  
 33 tax shall be in addition to and may be in excess of the

1 maximum levy and may be extended at a rate in addition to and  
2 in excess of the tax rate for road purposes authorized under  
3 Section 6-501 of this Code.

4 Such tax, when collected, shall constitute and be held by  
5 the treasurer of the district as a separate fund to be  
6 expended for the construction or repair of bridges, culverts,  
7 drainage structures or grade separations, including  
8 approaches thereto, at the joint expense of the county and  
9 the road district. The highway commissioner shall separately  
10 specify in the certificate required by Section 6-501 the  
11 amount necessary to be raised by taxation for the purpose of  
12 constructing or repairing bridges, culverts, drainage  
13 structures or grade separations, including approaches  
14 thereto, at the joint expense of the county and the road  
15 district. Upon the approval by the county board of the  
16 amount so certified as provided in Section 6-501 of this  
17 Code, the county clerk shall extend the same against the  
18 taxable property of the road district, provided the amount  
19 thus approved shall not be extended at a rate in excess of  
20 .05% of value, as equalized or assessed by the Department of  
21 Revenue.

22 When any improvement project for which a tax may be  
23 levied under this Section has been ordered as provided in  
24 Section 5-501 and the estimated cost of such project to the  
25 road district is in excess of the amount that will be  
26 realized from the annual tax levy authorized by this Section  
27 when extended and collected, then the road district may  
28 accumulate the proceeds of such tax for such number of years  
29 as may be necessary to acquire the funds necessary to pay the  
30 district's share of the cost of such project. In counties in  
31 which a property tax extension limitation is imposed under  
32 the Property Tax Extension Limitation Law and the imposition  
33 of the property tax extension limitation prevents a road  
34 district from levying taxes for road purposes at the required

1 rate, a road district may retain its eligibility if, at the  
2 time the property tax extension limitation was imposed, the  
3 road district was levying at the required rate and continues  
4 to levy the maximum allowable amount after the imposition of  
5 the property tax extension limitation. It shall not be a  
6 valid objection to any subsequent tax levy made under this  
7 Section that there remains unexpended money arising from a  
8 preceding levy of a prior year because of the accumulation  
9 provided for in this Section.

10 The rate limitation imposed by this Section may be  
11 increased for a 10 year period to up to 0.25% of the value of  
12 all the taxable property in the road district, as equalized  
13 or assessed by the Department of Revenue if the proposition  
14 for the increased tax rate is submitted under Sections 6-504  
15 and 6-505 and receives a majority of all ballots cast on the  
16 proposition at the election held under Section 6-505.

17 (b) All surplus funds remaining in the hands of the  
18 treasurer of the road district after the completion of any  
19 construction or repairing of bridges, culverts, drainage  
20 structures or grade separations, including approaches  
21 thereto, under this Section, shall be turned over at the  
22 request of the highway commissioner, with the written consent  
23 of the county superintendent, to the regular road fund of the  
24 road district. Upon such request, no further levy under this  
25 Section is to be extended by the county clerk unless the  
26 proposition authorizing such further levy is submitted under  
27 Sections 6-504 and 6-505 and receives a majority of all  
28 ballots cast on the proposition at the election held under  
29 Section 6-505.

30 (c) The moneys from this tax may also be used for  
31 construction and maintenance of bridges, culverts and other  
32 drainage facilities, or grade separations, including  
33 approaches thereto, on, under, or over the district roads,  
34 without joint county funds being involved and without

1 limitation as to size of project, but only if adequate funds  
2 are available for all projects for which the road district  
3 has petitioned the county for joint participation. If the  
4 project size is over \$5,000, the road district commissioner  
5 shall also obtain the permission of the county engineer.

6 (Source: P.A. 90-110, eff. 7-14-97.)