

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 6-130, 6-508, and 6-701.8 and adding
6 Section 6-132 as follows:

7 (605 ILCS 5/6-130) (from Ch. 121, par. 6-130)

8 Sec. 6-130. Notwithstanding any other provision of this
9 Act to the contrary, no township road district may continue
10 in existence if the roads forming a part of the district do
11 not exceed a total of 4 miles in length. On the first Tuesday
12 in April of 1975, or of any subsequent year next succeeding
13 the reduction of a township road system to a total mileage of
14 4 miles or less, each such township road district shall, by
15 operation of law, be abolished. The roads comprising that
16 district at that time shall thereafter be administered by the
17 township board of trustees by contracting with the county, a
18 municipality or a private contractor. The township board of
19 trustees shall assume all taxing authority of a township road
20 district abolished under this Section.

21 (Source: P.A. 83-605.)

22 (605 ILCS 5/6-132 new)

23 Sec. 6-132. Recycling. A road district may organize or
24 participate in one or more recycling programs and may use
25 moneys in its district road fund to pay for all or part of
26 the direct costs of recycling.

27 (605 ILCS 5/6-508) (from Ch. 121, par. 6-508)

28 Sec. 6-508. (a) For the purpose of constructing or
29 repairing bridges, culverts, drainage structures or grade

1 separations, including approaches thereto, at the joint
2 expense of a county and a road district and obtaining aid
3 from the county as provided in Section 5-501 of this Code,
4 there may be included in the annual tax levies provided for
5 in Section 6-501 of this Code a tax of not to exceed .05% of
6 the value of all the taxable property in the road district,
7 as equalized or assessed by the Department of Revenue, which
8 tax shall be in addition to and may be in excess of the
9 maximum levy and may be extended at a rate in addition to and
10 in excess of the tax rate for road purposes authorized under
11 Section 6-501 of this Code.

12 Such tax, when collected, shall constitute and be held by
13 the treasurer of the district as a separate fund to be
14 expended for the construction or repair of bridges, culverts,
15 drainage structures or grade separations, including
16 approaches thereto, at the joint expense of the county and
17 the road district. The highway commissioner shall separately
18 specify in the certificate required by Section 6-501 the
19 amount necessary to be raised by taxation for the purpose of
20 constructing or repairing bridges, culverts, drainage
21 structures or grade separations, including approaches
22 thereto, at the joint expense of the county and the road
23 district. Upon the approval by the county board of the
24 amount so certified as provided in Section 6-501 of this
25 Code, the county clerk shall extend the same against the
26 taxable property of the road district, provided the amount
27 thus approved shall not be extended at a rate in excess of
28 .05% of value, as equalized or assessed by the Department of
29 Revenue.

30 When any improvement project for which a tax may be
31 levied under this Section has been ordered as provided in
32 Section 5-501 and the estimated cost of such project to the
33 road district is in excess of the amount that will be
34 realized from the annual tax levy authorized by this Section

1 when extended and collected, then the road district may
2 accumulate the proceeds of such tax for such number of years
3 as may be necessary to acquire the funds necessary to pay the
4 district's share of the cost of such project. In counties in
5 which a property tax extension limitation is imposed under
6 the Property Tax Extension Limitation Law and the imposition
7 of the property tax extension limitation prevents a road
8 district from levying taxes for road purposes at the required
9 rate, a road district may retain its eligibility if, at the
10 time the property tax extension limitation was imposed, the
11 road district was levying at the required rate and continues
12 to levy the maximum allowable amount after the imposition of
13 the property tax extension limitation. It shall not be a
14 valid objection to any subsequent tax levy made under this
15 Section that there remains unexpended money arising from a
16 preceding levy of a prior year because of the accumulation
17 provided for in this Section.

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

25 (b) All surplus funds remaining in the hands of the
26 treasurer of the road district after the completion of any
27 construction or repairing of bridges, culverts, drainage
28 structures or grade separations, including approaches
29 thereto, under this Section, shall be turned over at the
30 request of the highway commissioner, with the written consent
31 of the county superintendent, to the regular road fund of the
32 road district. Upon such request, no further levy under this
33 Section is to be extended by the county clerk unless the
34 proposition authorizing such further levy is submitted under

1 Sections 6-504 and 6-505 and receives a majority of all
2 ballots cast on the proposition at the election held under
3 Section 6-505.

4 (c) The moneys from this tax may also be used for
5 construction and maintenance of bridges, culverts and other
6 drainage facilities, or grade separations, including
7 approaches thereto, on, under, or over the district roads,
8 without joint county funds being involved and without
9 limitation as to size of project, but only if adequate funds
10 are available for all projects for which the road district
11 has petitioned the county for joint participation. If the
12 project size is over \$10,000 ~~\$5,000~~, the road district
13 commissioner shall also obtain the permission of the county
14 engineer.

15 (Source: P.A. 92-268, eff. 1-1-02.)

16 (605 ILCS 5/6-701.8) (from Ch. 121, par. 6-701.8)

17 Sec. 6-701.8. The formula allocation for township and
18 road districts for the distribution of motor fuel tax funds,
19 provided for in Section 8 in the "Motor Fuel Tax Law", may be
20 used by the highway commissioner, subject to the conditions
21 set out in Sections 6-301, 6-701.1 and 6-701.2 as respects
22 the methods, equipment and materials appropriate for such
23 maintenance or improvement, and, in township counties, with
24 the approval of the board of town trustees, for the
25 maintenance or improvement of nondedicated subdivision roads
26 established prior to July 23, 1959. Any such road improved
27 becomes, by operation of law, a part of the township and
28 district road system providing such road meets standards as
29 established by the county. In township counties, the board of
30 town trustees shall condition its approval, as required by
31 this Section, upon proportional matching contributions,
32 whether in cash, kind, services or otherwise, by property
33 owners in the subdivision where such a road is situated. No

1 more than the amount of the increase in allocation
2 attributable to this amendatory Act of 1979 and any
3 subsequent amendatory Act plus 50% 20% of such funds
4 otherwise allocated under the formula as provided in Section
5 8 in the "Motor Fuel Tax Law" and subsequently approved as
6 provided in this Section, may be expended on eligible
7 nondedicated subdivision roads.

8 (Source: P.A. 83-957.)

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