



Rep. Sam Yingling

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1 AMENDMENT TO HOUSE BILL 684

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 684 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by changing  
5 Section 3-70 as follows:

6 (35 ILCS 200/3-70)

7 Sec. 3-70. Cessation of Township Assessor. If the office of  
8 Township Assessor in a coterminous township ceases as provided  
9 in Articles 27 and 28 of the Township Code, then the  
10 coterminous municipality shall assume the duties of the  
11 Township Assessor under this Code. If the office of Township  
12 Assessor in a coterminous township ceases as provided in  
13 Article 26 of the Township Code, then the county clerk shall  
14 assume the duties of the Township Assessor under this Code as  
15 provided in Section 90-10 of the Township Code.

16 (Source: P.A. 98-127, eff. 8-2-13; 99-474, eff. 8-27-15.)

1           Section 10. The Township Code is amended by adding Articles  
2           26 and 29 as follows:

3           (60 ILCS 1/Art. 26 heading new)

4                     ARTICLE 26. DISCONTINUANCE OF A COTERMINOUS  
5                             TOWNSHIP WITHOUT A ROAD DISTRICT

6           (60 ILCS 1/26-5 new)

7           Sec. 26-5. Applicability. This Article shall apply only to  
8           a township that: (1) is within a coterminous, or substantially  
9           coterminous, municipality in which county officers serve as the  
10           officers of the township under Section 90-10, but where the  
11           members of the township board of trustees are elected by the  
12           electors of the township under Section 90-5; and (2) does not  
13           have a corresponding township road district.

14           (60 ILCS 1/26-10 new)

15           Sec. 26-10. Petition and referendum. Upon adoption of  
16           resolutions by the township board of trustees of a township  
17           described under Section 26-5 of this Article and the county  
18           board of the county in which the township is located, or upon  
19           petition of at least 10% of the registered voters of that  
20           township, the township board of trustees shall certify and  
21           cause to be submitted to the voters of the township, at the  
22           next election or consolidated election, a proposition to

1 discontinue and abolish the township organization and to  
2 transfer all the rights, powers, duties, assets, property,  
3 liabilities, obligations, and responsibilities of the township  
4 organization to the county in which the township is located.

5 A signature on a petition shall not be valid or counted in  
6 considering the petition unless the form requirements are  
7 complied with and the date of each signature is less than 90  
8 days before the last day for filing the petition. The statement  
9 of the person who circulates the petition must include an  
10 attestation (i) indicating the dates on which that sheet was  
11 circulated, (ii) indicating the first and last date on which  
12 that sheet was circulated, or (iii) certifying that none of the  
13 signatures on the sheet was signed more than 90 days before the  
14 last day for filing the petition. The petition shall be treated  
15 and the proposition certified in the manner provided by the  
16 general election law. After the proposition has once been  
17 submitted to the electorate, the proposition shall not be  
18 resubmitted for 4 years.

19 The proposition shall be in substantially the following  
20 form:

21 "Shall the township organization be continued in [Name of  
22 Township] Township?"

23 The votes shall be recorded as "Yes" or "No".

24 The referendum is approved when a majority of the voters in  
25 the township approve the referendum.

26 If the referendum is approved there shall be no further

1 nominations or elections for trustees of the township, and the  
2 terms of all such trustees currently serving shall continue  
3 until the third Monday of May of the year of the consolidated  
4 election in which township officials are elected next following  
5 the approval of a referendum under this Section.

6 (60 ILCS 1/26-15 new)

7 Sec. 26-15. Cessation of township. On the third Monday in  
8 May in the year of the consolidated election in which township  
9 officials are elected next following the approval of a  
10 referendum under Section 26-10:

11 (1) the township is discontinued and abolished and all  
12 the rights, powers, duties, assets, property, liabilities,  
13 obligations, and responsibilities of the township shall  
14 vest in and be assumed by the county, including the  
15 authority to levy property taxes for township purposes in  
16 the same manner as the dissolved township without an  
17 additional ordinance, resolution, or referendum;

18 (2) all township officers shall cease to hold office  
19 and the county clerk and county treasurer shall serve as  
20 township officers in the manner provided in Section 90-10;  
21 and

22 (3) the county shall exercise all duties and  
23 responsibilities of the township officers as provided in  
24 the Township Code, the Illinois Public Aid Code, the  
25 Property Tax Code, and the Illinois Highway Code, as

1       applicable.

2           (60 ILCS 1/26-20 new)

3       Sec. 26-20. Business, records, and property of  
4 discontinued township organization. The records of a township  
5 organization discontinued under this Article shall be  
6 deposited in the county clerk's office. The county may close up  
7 all unfinished business of the township and sell and dispose of  
8 any of the property belonging to the township for benefit of  
9 the inhabitants of the township.

10           (60 ILCS 1/Art. 29 heading new)

11                   ARTICLE 29. DISCONTINUANCE OF A TOWNSHIP

12           (60 ILCS 1/29-5 new)

13       Sec. 29-5. Applicability. This Article does not apply to a  
14 township described in Section 26-5 of this Code.

15           (60 ILCS 1/29-10 new)

16       Sec. 29-10. Resolutions to discontinue and abolish a  
17 township. The township board and the county board of the county  
18 in which the township is located may by resolutions of both  
19 boards and after referendum of the voters of the township:

20                   (1) discontinue and abolish the township;

21                   (2) transfer all the rights, powers, duties, assets,  
22 property, liabilities, obligations, and responsibilities

1 of the township to the county; and

2 (3) cease and dissolve all township road districts  
3 within the district's jurisdiction and authority  
4 transferred to the county upon the dissolution of the  
5 township.

6 (60 ILCS 1/29-15 new)

7 Sec. 29-15. Notice.

8 (a) Before passing resolutions under Section 29-10, the  
9 township board and the county board shall hold public hearings  
10 on those matters after notice of the hearing has been published  
11 in a newspaper having general circulation in the township and  
12 county. The notice shall be published at least 30 days before  
13 the date of the hearing.

14 (b) Before a referendum is placed on the ballot under  
15 Section 29-20, each township board shall publish a copy of the  
16 resolution adopted under Section 29-10 in a newspaper of  
17 general circulation in the township and county affected. The  
18 notice shall be published at least 30 days before the date of  
19 the general election in which the referendum will appear. Each  
20 township board shall additionally mail a copy of the adopted  
21 resolution, along with a copy of the referendum language, the  
22 date the referendum will appear, and a list of all taxes levied  
23 in the affected townships, to every registered voter in the  
24 township affected. The notice shall be mailed at least 30 days  
25 before the date of the election in which the referendum will

1 appear.

2 (60 ILCS 1/29-20 new)

3 Sec. 29-20. Referendum for dissolution of township. Upon  
4 the adoption of resolutions under Section 29-10 by both the  
5 township and county, the township board shall certify the  
6 question to the election authority and the authority shall  
7 cause to be submitted to the voters of the township at the next  
8 election a referendum to discontinue the township and to  
9 transfer all the rights, powers, duties, assets, property,  
10 liabilities, obligations, and responsibilities of the township  
11 to the county. The referendum shall be substantially in the  
12 following form:

13 "Shall the township of (name of township) cease?"

14 The votes shall be recorded as "Yes" or "No".

15 The referendum is approved when a majority of the voters in  
16 the township approve the referendum. If the referendum is  
17 approved there shall be no further nominations or elections for  
18 clerks, assessors, collectors, highway commissioners,  
19 supervisors, or trustees of the township or highway commission,  
20 and the terms of all such officers currently serving shall  
21 continue until the third Monday of May of the year of the  
22 consolidated election in which township officials are elected  
23 next following the approval of a referendum under this Section.

24 (60 ILCS 1/29-25 new)

1       Sec. 29-25. Cessation of township. On the third Monday in  
2 May in the year of the consolidated election in which township  
3 officials are elected next following the approval of a  
4 referendum under Section 29-20:

5           (1) the township is discontinued and abolished and all  
6 the rights, powers, duties, assets, property, liabilities,  
7 obligations, and responsibilities of the township shall  
8 vest in and be assumed by the county, including the  
9 authority to levy property taxes for township purposes in  
10 the same manner as the dissolved township without an  
11 additional ordinance, resolution, or referendum;

12           (2) all township officers shall cease to hold office;

13           (3) the county shall exercise all duties and  
14 responsibilities of the township officers as provided in  
15 the Township Code, the Illinois Public Aid Code, the  
16 Property Tax Code, and the Illinois Highway Code, as  
17 applicable. The county may enter into an intergovernmental  
18 agreement with the State to administer the duties and  
19 responsibilities of the township officers for services  
20 under its jurisdiction; and

21           (4) any road district located within the township is  
22 abolished and its jurisdiction, rights, powers, duties,  
23 assets, property, liabilities, obligations, and  
24 responsibilities shall vest in and be assumed by the county  
25 board and the highway commissioner of the abolished road  
26 district shall cease to hold office. The county board of



1       the county shall: exercise the taxing authority of a road  
2       district abolished under this Section; exercise all duties  
3       and responsibilities of the highway commissioner as  
4       provided in the Illinois Highway Code; and for purposes of  
5       distribution of revenue, assume the powers, duties, and  
6       obligations of the road district in the discontinued  
7       township. The county board of the county may enter into an  
8       intergovernmental agreement or a contract with another  
9       county or a private contractor to administer the roads  
10       which were under the jurisdiction of the abolished road  
11       district.

12       (60 ILCS 1/29-30 new)

13       Sec. 29-30. Business, records, and property of  
14       discontinued township. The records of a township discontinued  
15       under this Article shall be deposited in the county clerk's  
16       office. The county may close up all unfinished business of the  
17       township and sell and dispose of any of the property belonging  
18       to the township for benefit of the inhabitants of the county.

19       (60 ILCS 1/29-35 new)

20       Sec. 29-35. Taxation. Notwithstanding any provision of law  
21       to the contrary, no tax rate may be extended for any fund of  
22       the township for the first levy year following referendum  
23       approval that exceeds any statutory maximum set forth for that  
24       fund, unless the referendum also conforms to the requirements

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

3 (60 ILCS 1/29-40 new)

4 Sec. 29-40. Rights and obligations of employees.

5 (a) The status and rights of employees represented by an  
6 exclusive bargaining representative shall not be affected by  
7 the dissolution of a township under this Article, except that  
8 this subsection does not apply for actions taken before the  
9 effective date of this amendatory Act of the 100th General  
10 Assembly.

11 (b) Obligations of the dissolving township assumed by the  
12 county or governing body of a special service area include the  
13 obligation to honor representation rights under the Illinois  
14 Public Labor Relations Act and any collective bargaining  
15 agreements existing on the date of dissolution of the township.

16 (c) The rights of employees under any pensions, retirement  
17 plans, or annuity plans existing on the date of dissolution of  
18 the township are not affected by the dissolution of a township  
19 under this Article.

20 (60 ILCS 1/29-45 new)

21 Sec. 29-45. Township debt and obligations. If on the date  
22 of dissolution a township has outstanding bonds or any other  
23 financial indebtedness, the following shall apply:

24 (1) The receiving county's board may, on and after the

1 date of dissolution, liquidate or transfer for fair market  
2 value the real and personal property, and other assets, of  
3 the former township in an amount no greater than the  
4 indebtedness.

5 (2) The county board may levy taxes, in an amount no  
6 greater than the indebtedness, as if the township remained  
7 in existence to pay any indebtedness. For purposes of  
8 levying taxes under this paragraph (2), the county clerk  
9 has the authority of the township clerk; the county  
10 assessor or county supervisor of assessments has the  
11 authority of the township assessor; the county board  
12 chairperson has the authority of the township supervisor;  
13 and the county board has the authority of the township  
14 board and the highway commissioner.

15 (60 ILCS 1/29-50 new)

16 Sec. 29-50. Contracts.

17 (a) A dissolving township, or any township official,  
18 division, or commission, may not enter into, renew, or extend  
19 any contracts that would extend beyond the date of dissolution  
20 of the township.

21 (b) A dissolving township, or any township official,  
22 division, or commission, may not enter into, renew, or extend  
23 any contracts, bonds, or other expenditures that would increase  
24 the indebtedness of the township to an amount greater than the  
25 amount of indebtedness on the date the referendum passed.

1       (c) A dissolving township shall not enact any new tax  
2 levies.

3       (d) Notwithstanding subsections (a), (b), and (c), the  
4 township board may approve contracts and expenses for emergency  
5 purposes to protect the life, health, safety of its residents

6       Section 15. The Public Health District Act is amended by  
7 changing Section 25 as follows:

8       (70 ILCS 905/25)

9       Sec. 25. Discontinuance of a coterminous township. If ~~the~~  
10 ~~office of Township Assessor in~~ a coterminous township is  
11 discontinued as provided in Articles 27 and 28 of the Township  
12 Code, then the coterminous municipality's Council members  
13 shall be the board of health for the public health district  
14 under this Act. If a coterminous township is discontinued as  
15 provided in Article 26 of the Township Code, then the county's  
16 board members shall be the board of health for the public  
17 health district under this Act.

18       (Source: P.A. 98-127, eff. 8-2-13; 99-474, eff. 8-27-15.)

19       Section 20. The Public Aid Code is amended by changing  
20 Section 12-3.1 as follows:

21       (305 ILCS 5/12-3.1)

22       Sec. 12-3.1. Discontinuance of a coterminous township.

1 Upon discontinuance of a coterminous township under Articles 27  
2 and 28 of the Township Code, the coterminous municipality shall  
3 provide funds for and administer the public aid program  
4 provided for under Article VI of this Code. Upon discontinuance  
5 of a coterminous township under Article 26 of the Township  
6 Code, the county shall provide funds for and administer the  
7 public aid program provided for under Article VI of this Code.  
8 (Source: P.A. 98-127, eff. 8-2-13; 99-474, eff. 8-27-15.)".