# HB5777

# 100TH GENERAL ASSEMBLY

# State of Illinois

# 2017 and 2018

## HB5777

by Rep. Sam Yingling

## SYNOPSIS AS INTRODUCED:

65 ILCS 5/Art. 7 Div. 2 heading
65 ILCS 5/7-2-1                          from Ch. 24, par. 7-2-1

Amends the Union of Contiguous Municipalities Division of the Illinois Municipal Code. Adds "consolidation" to the title of the Division. Provides that any 2 or more incorporated contiguous municipalities may be united into one incorporated city or village (rather than only cities) upon the presentation of a petition, signed by the lesser of 10% of the total number of electors of each municipality voting in the last election or 250 electors, to the election authority for the county in which the municipalities are situated or, if the municipalities are situated in 2 or more counties, in the county where the largest population of the subject municipalities resides. Removes provisions limiting union to municipalities wholly or substantially situation in a single county. Removes provisions requiring union by annexation by another city. Modifies the referendum question to approve the union. Provides that a union is not considered the creation or formation of a new political subdivision for purposes of the Election Code and makes other references to the Election Code. Provides that any elected official, member, employee, or contractor of a city or village subject to a petition to unite shall be expressly prohibited from using any governmental or public resources in opposing or supporting the petition. Provides that if the majority of the votes cast in any of the contiguous municipalities (rather than each municipality) in the petition is in favor of the proposition, then those contiguous municipalities are united. Makes other changes.

LRB100 19717 AWJ 34991 b

# A BILL FOR

1      AN ACT concerning local government.

2      **Be it enacted by the People of the State of Illinois,**

3      **represented in the General Assembly:**

4      Section 5. The Illinois Municipal Code is amended by

5      changing the heading of Division 2 of Article 7 and Section

6      7-2-1 as follows:

7      (65 ILCS 5/Art. 7 Div. 2 heading)

8           DIVISION 2. UNION AND CONSOLIDATION OF CONTIGUOUS

9                         MUNICIPALITIES

10      (65 ILCS 5/7-2-1) (from Ch. 24, par. 7-2-1)

11      Sec. 7-2-1. Any 2 or more incorporated contiguous

12      municipalities wholly or substantially situated in a single

13      county may be united into one incorporated city or village as

14      follows: by a compliance with Sections 7-1-16 and 7-1-17, with

15      the following exceptions:

16      (1) A petition shall be presented to the election authority

17      for the county in which the municipalities are situated, or, if

18      the municipalities are situated in 2 or more counties, in the

19      county where the largest population of the subject

20      municipalities resides, asking that the question of union of

21      contiguous municipalities be submitted to the electors of each

22      municipality. The petition (a) shall be signed by not less than

1    10% of the total number of electors of each of the

2    municipalities sought to be united who voted at the last

3    preceding election or 250 such electors, whichever number is

4    smaller, ~~seeking a union,~~ (b) shall state the name by which the

5    united municipality is to be known, and (c) shall state the

6    form of municipal government under which the united

7    municipality is to be governed.

8        (2) The question shall be in substantially the following

9    form:

10    ------------------------------------------------------------

11        Shall the city, village, or

12    incorporated town (as the

13    case may be) of...........

14    and the city, village, or

15    incorporated town (as the case        YES

16    may be) of..........., (and

17    in this manner as far as

18    necessary, filling blanks with

19    the names of the municipalities

20    to be united), be united        --------------------------

21    into a single municipality

22    under the name of.........

23    with the.......... form of

24    municipal government (filling

25    the blank with the word        NO

26    "Commission" ~~"Aldermanic"~~

1   or "Strong Mayor" ~~"Commission"~~

2   or the words "Managerial With

3   Aldermen Chosen From Wards Or

4   Districts" as the case may be)?

5    ------------------------------------------------------------

6       No other proposition shall appear thereon.

7       Subsection (a) of Section 28-2 of the Election Code applies

8   to petitions for the union of contiguous municipalities. A

9   union is not considered the creation or formation of a new

10  political subdivision for purposes of Section 28 of the

11  Election Code, and a petition for the union of contiguous

12  municipalities is not subject to subsection (b) or (g) of

13  Section 28-2 of the Election Code. The county election

14  authority shall certify the question of the union to be

15  submitted to the electors of each municipality at an election

16  to be held in each municipality in accordance with general

17  election law. Any objection to a petition to unite contiguous

18  municipalities shall be made pursuant to Sections 10-8, 10-9,

19  10-10, and 10-10.1 of the Election Code.

20      Any elected official, member, employee, or contractor of a

21  city or village subject to a petition to unite shall be

22  expressly prohibited from using any governmental or public

23  resources in opposing or supporting the petition.

24      If the majority of the votes cast in any of the contiguous

25  municipalities ~~each municipality~~ specified in the petition is

26  in favor of the proposition, then those contiguous ~~the~~

1    municipalities are united. Any combination of cities and

2    villages may unite into a city, and if multiple villages unite,

3    they may unite into a single village or city as specified in

4    the petition.

5    (Source: P.A. 87-278.)