

# SB1538



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB1538

Introduced 2/15/2019, by Sen. Terry Link

#### SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-1-14 new

Amends the Illinois Municipal Code. Provides that a municipality's police department may be discontinued after referendum of the electors of the municipality. Requires a petition of the electors requesting the referendum or an ordinance requesting the referendum by the city council of the municipality. Provides that if the referendum passes, the sheriff's department acquires primary jurisdiction over police protection of the municipality and the county acquires the authority to levy any taxes the municipality could have levied to support the policing of the municipality.

LRB101 08871 AWJ 53961 b

FISCAL NOTE ACT  
MAY APPLY

HOUSING  
AFFORDABILITY  
IMPACT NOTE ACT  
MAY APPLY

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 adding  
5 Section 11-1-14 as follows:

6 (65 ILCS 5/11-1-14 new)

7 Sec. 11-1-14. Discontinuance of police department by  
8 referendum.

9 (a) A municipality's police department may be discontinued  
10 after referendum of the electors of the municipality after: (1)  
11 the city council passes an ordinance for a referendum to  
12 discontinue the police department; or (2) after a petition for  
13 a referendum signed by not less than 5% of the total number of  
14 registered voters of municipality is filed with the city  
15 council. The ordinance or petition shall include the date of  
16 discontinuance of the police department, which shall not be  
17 earlier than 60 days following the date of the referendum.

18 (b) Upon the adoption of an ordinance or the filing of a  
19 petition under subsection (a), a referendum, subject to the  
20 requirements of 16-7 of the Election Code, shall be placed on  
21 the ballot for all electors residing in the municipality at the  
22 next general election in substantially the following form:

23 Shall the ..... police department be discontinued

1       with the sheriff's department acquiring primary  
2       jurisdiction over police protection in the municipality  
3       and the county acquiring the ability to levy any applicable  
4       municipal taxes to provide police protection in the  
5       municipality?

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

7       (c) If a majority of the electors in the municipality vote  
8       in favor of the referendum, then the police department shall be  
9       discontinued on the date indicated in the ordinance or petition  
10      and, on that date, the sheriff's department acquires primary  
11      jurisdiction over police protection of the municipality and the  
12      county acquires the authority to levy any tax the municipality  
13      levied or could have levied to support the policing of the  
14      municipality. The county may levy a tax under this subsection  
15      regardless of whether it uses the money directly for the  
16      support of policing of the municipality.