



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5785

by Rep. Jack D. Franks

SYNOPSIS AS INTRODUCED:

35 ILCS 200/2-41 new
55 ILCS 5/5-31022 new
70 ILCS 105/13 new
70 ILCS 200/2-165 new
70 ILCS 410/18.05 new
70 ILCS 805/24 new
70 ILCS 905/26 new
70 ILCS 920/5.3a new
70 ILCS 1105/27 new
70 ILCS 1810/28 new
70 ILCS 2105/26c new
70 ILCS 3105/25 new
70 ILCS 3305/11 new
70 ILCS 3405/25 new
70 ILCS 3710/13 new
70 ILCS 3715/28 new
70 ILCS 3720/2.1 new
605 ILCS 5/6-134 new

Amends the following Acts and Codes to provide that, upon a majority vote of the boards of the entities created under the following Acts and Codes in favor of the proposition to annex or consolidate, then that entity shall cease: Property Tax Code, Counties Code, Cemetery Maintenance District Act, Civic Center Code, Conservation District Act, Downstate Forest Preserve District Act, Public Health District Act, Tuberculosis Sanitarium District Act, Museum District Act, Illinois International Port District Act, River Conservancy Districts Act, Solid Waste Disposal District Act, Street Light District Act, Surface Water Protection District Act, Water Service District Act, Water Authorities Act, Water Commission Act of 1985, and the Illinois Highway Code. Provides that on the effective date of the annexation or consolidation, all of the rights, powers, duties, assets, liabilities, indebtedness, obligations, bonding authority, taxing authority, and responsibilities of the entity shall vest in and be assumed by the governmental unit assuming the former entity's functions. Effective immediately.

LRB098 15006 JLK 49962 b

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 Property Tax Code is amended by adding
5 Section 2-41 as follows:

6 (35 ILCS 200/2-41 new)

7 Sec. 2-41. Cessation of district organization.
8 Notwithstanding any other provision of law, if a majority vote
9 of the board of trustees is in favor of the proposition to
10 consolidate the district into the county in which the district
11 sits, then the district shall cease. On the effective date of
12 the of the consolidation, all the rights, powers, duties,
13 assets, property, liabilities, indebtedness, obligations,
14 bonding authority, taxing authority, and responsibilities of
15 the district shall vest in and be assumed by the governmental
16 unit assuming the functions of the former district.

17 Section 10. The Counties Code is amended by adding Section
18 5-31022 as follows:

19 (55 ILCS 5/5-31022 new)

20 Sec. 5-31022. Cessation of district organization.
21 Notwithstanding any other provision of law, if a majority vote

1 of the board is in favor of the proposition to annex the
2 district to another district whose boundaries are contiguous,
3 or consolidate the district into a municipality with which the
4 district is coterminous or substantially coterminous, or
5 consolidate the district into the county in which the district
6 sits, then the district shall cease. On the effective date of
7 the of the annexation or consolidation, all the rights, powers,
8 duties, assets, property, liabilities, indebtedness,
9 obligations, bonding authority, taxing authority, and
10 responsibilities of the district shall vest in and be assumed
11 by the governmental unit assuming the functions of the former
12 district.

13 Section 15. The Cemetery Maintenance District Act is
14 amended by adding Section 13 as follows:

15 (70 ILCS 105/13 new)

16 Sec. 13. Cessation of district organization.
17 Notwithstanding any other provision of law, if a majority vote
18 of the board of trustees is in favor of the proposition to
19 annex the district to another district whose boundaries are
20 contiguous, or consolidate the district into a municipality
21 with which the district is coterminous or substantially
22 coterminous, or consolidate the district into the county in
23 which the district sits, then the district shall cease. On the
24 effective date of the of the annexation or consolidation, all

1 the rights, powers, duties, assets, property, liabilities,
2 indebtedness, obligations, bonding authority, taxing
3 authority, and responsibilities of the district shall vest in
4 and be assumed by the governmental unit assuming the functions
5 of the former district.

6 Section 20. The Civic Center Code is amended by adding
7 Section 2-165 as follows:

8 (70 ILCS 200/2-165 new)

9 Sec. 2-165. Cessation of authority organization.

10 (a) Notwithstanding any other provision of law, if a
11 majority vote of the Board is in favor of the proposition to
12 annex the authority to another authority whose boundaries are
13 contiguous, or consolidate the authority into a municipality
14 with which the authority is coterminous or substantially
15 coterminous, or consolidate the authority into the county in
16 which the authority sits, then the authority shall cease. On
17 the effective date of the of the annexation or consolidation,
18 all the rights, powers, duties, assets, property, liabilities,
19 indebtedness, obligations, bonding authority, taxing
20 authority, and responsibilities of the authority shall vest in
21 and be assumed by the governmental unit assuming the functions
22 of the former authority.

23 (b) Notwithstanding the provisions of Section 2-1 of this
24 Code, the provisions of this Section apply to all Civic Center

1 Authorities created under this Code.

2 Section 25. The Conservation District Act is amended by
3 adding Section 18.05 as follows:

4 (70 ILCS 410/18.05 new)

5 Sec. 18.05. Cessation of district organization.

6 Notwithstanding any other provision of law, if a majority vote
7 of the board is in favor of the proposition to annex the
8 district to another district whose boundaries are contiguous,
9 or consolidate the district into a municipality with which the
10 district is coterminous or substantially coterminous, or
11 consolidate the district into the county in which the district
12 sits, then the district shall cease. On the effective date of
13 the of the annexation or consolidation, all the rights, powers,
14 duties, assets, property, liabilities, indebtedness,
15 obligations, bonding authority, taxing authority, and
16 responsibilities of the district shall vest in and be assumed
17 by the governmental unit assuming the functions of the former
18 district.

19 Section 30. The Downstate Forest Preserve District Act is
20 amended by adding Section 24 as follows:

21 (70 ILCS 805/24 new)

22 Sec. 24. Cessation of district organization.

1 Notwithstanding any other provision of law, if a majority vote
2 of the board of commissioners is in favor of the proposition to
3 annex the district to another district whose boundaries are
4 contiguous, or consolidate the district into a municipality
5 with which the district is coterminous or substantially
6 coterminous, or consolidate the district into the county in
7 which the district sits, then the district shall cease. On the
8 effective date of the of the annexation or consolidation, all
9 the rights, powers, duties, assets, property, liabilities,
10 indebtedness, obligations, bonding authority, taxing
11 authority, and responsibilities of the district shall vest in
12 and be assumed by the governmental unit assuming the functions
13 of the former district.

14 Section 35. The Public Health District Act is amended by
15 adding Section 26 as follows:

16 (70 ILCS 905/26 new)

17 Sec. 26. Cessation of district organization.
18 Notwithstanding any other provision of law, if a majority vote
19 of the board of health is in favor of the proposition to annex
20 the district to another district whose boundaries are
21 contiguous, or consolidate the district into a municipality
22 with which the district is coterminous or substantially
23 coterminous, or consolidate the district into the county in
24 which the district sits, then the district shall cease. On the

1 effective date of the of the annexation or consolidation, all
2 the rights, powers, duties, assets, property, liabilities,
3 indebtedness, obligations, bonding authority, taxing
4 authority, and responsibilities of the district shall vest in
5 and be assumed by the governmental unit assuming the functions
6 of the former district.

7 Section 40. The Tuberculosis Sanitarium District Act is
8 amended by adding Section 5.3a as follows:

9 (70 ILCS 920/5.3a new)

10 Sec. 5.3a. Cessation of district organization.
11 Notwithstanding any other provision of law, if a majority vote
12 of the board of directors is in favor of the proposition to
13 annex the district to another district whose boundaries are
14 contiguous, or consolidate the district into a municipality
15 with which the district is coterminous or substantially
16 coterminous, or consolidate the district into the county in
17 which the district sits, then the district shall cease. On the
18 effective date of the of the annexation or consolidation, all
19 the rights, powers, duties, assets, property, liabilities,
20 indebtedness, obligations, bonding authority, taxing
21 authority, and responsibilities of the district shall vest in
22 and be assumed by the governmental unit assuming the functions
23 of the former district.

1 Section 45. The Museum District Act is amended by adding
2 Section 27 as follows:

3 (70 ILCS 1105/27 new)

4 Sec. 27. Cessation of district organization.

5 Notwithstanding any other provision of law, if a majority vote
6 of the board of commissioners is in favor of the proposition to
7 annex the district to another district whose boundaries are
8 contiguous, or consolidate the district into a municipality
9 with which the district is coterminous or substantially
10 coterminous, or consolidate the district into the county in
11 which the district sits, then the district shall cease. On the
12 effective date of the of the annexation or consolidation, all
13 the rights, powers, duties, assets, property, liabilities,
14 indebtedness, obligations, bonding authority, taxing
15 authority, and responsibilities of the district shall vest in
16 and be assumed by the governmental unit assuming the functions
17 of the former district.

18 Section 50. The Illinois International Port District Act is
19 amended by adding Section 28 as follows:

20 (70 ILCS 1810/28 new)

21 Sec. 28. Cessation of district organization.

22 Notwithstanding any other provision of law, if a majority vote
23 of the Board is in favor of the proposition to annex the

1 district to another district whose boundaries are contiguous,
2 or consolidate the district into a municipality with which the
3 district is coterminous or substantially coterminous, or
4 consolidate the district into the county in which the district
5 sits, then the district shall cease. On the effective date of
6 the of the annexation or consolidation, all the rights, powers,
7 duties, assets, property, liabilities, indebtedness,
8 obligations, bonding authority, taxing authority, and
9 responsibilities of the district shall vest in and be assumed
10 by the governmental unit assuming the functions of the former
11 district.

12 Section 55. The River Conservancy Districts Act is amended
13 by adding Section 26c as follows:

14 (70 ILCS 2105/26c new)

15 Sec. 26c. Cessation of district organization.
16 Notwithstanding any other provision of law, if a majority vote
17 of the board of trustees is in favor of the proposition to
18 annex the district to another district whose boundaries are
19 contiguous, or consolidate the district into a municipality
20 with which the district is coterminous or substantially
21 coterminous, or consolidate the district into the county in
22 which the district sits, then the district shall cease. On the
23 effective date of the of the annexation or consolidation, all
24 the rights, powers, duties, assets, property, liabilities,

1 indebtedness, obligations, bonding authority, taxing
2 authority, and responsibilities of the district shall vest in
3 and be assumed by the governmental unit assuming the functions
4 of the former district.

5 Section 60. The Solid Waste Disposal District Act is
6 amended by adding Section 25 as follows:

7 (70 ILCS 3105/25 new)

8 Sec. 25. Cessation of district organization.

9 Notwithstanding any other provision of law, if a majority vote
10 of the board is in favor of the proposition to annex the
11 district to another district whose boundaries are contiguous,
12 or consolidate the district into a municipality with which the
13 district is coterminous or substantially coterminous, or
14 consolidate the district into the county in which the district
15 sits, then the district shall cease. On the effective date of
16 the of the annexation or consolidation, all the rights, powers,
17 duties, assets, property, liabilities, indebtedness,
18 obligations, bonding authority, taxing authority, and
19 responsibilities of the district shall vest in and be assumed
20 by the governmental unit assuming the functions of the former
21 district.

22 Section 65. The Street Light District Act is amended by
23 adding Section 11 as follows:

1 (70 ILCS 3305/11 new)

2 Sec. 11. Cessation of district organization.
3 Notwithstanding any other provision of law, if a majority vote
4 of the board of trustees is in favor of the proposition to
5 annex the district to another district whose boundaries are
6 contiguous, or consolidate the district into a municipality
7 with which the district is coterminous or substantially
8 coterminous, or consolidate the district into the county in
9 which the district sits, then the district shall cease. On the
10 effective date of the of the annexation or consolidation, all
11 the rights, powers, duties, assets, property, liabilities,
12 indebtedness, obligations, bonding authority, taxing
13 authority, and responsibilities of the district shall vest in
14 and be assumed by the governmental unit assuming the functions
15 of the former district.

16 Section 70. The Surface Water Protection District Act is
17 amended by adding Section 25 as follows:

18 (70 ILCS 3405/25 new)

19 Sec. 25. Cessation of district organization.
20 Notwithstanding any other provision of law, if a majority vote
21 of the board of trustees is in favor of the proposition to
22 annex the district to another district whose boundaries are
23 contiguous, or consolidate the district into a municipality

1 with which the district is coterminous or substantially
2 coterminous, or consolidate the district into the county in
3 which the district sits, then the district shall cease. On the
4 effective date of the of the annexation or consolidation, all
5 the rights, powers, duties, assets, property, liabilities,
6 indebtedness, obligations, bonding authority, taxing
7 authority, and responsibilities of the district shall vest in
8 and be assumed by the governmental unit assuming the functions
9 of the former district.

10 Section 75. The Water Service District Act is amended by
11 adding Section 13 as follows:

12 (70 ILCS 3710/13 new)

13 Sec. 13. Cessation of district organization.
14 Notwithstanding any other provision of law, if a majority vote
15 of the board of trustees is in favor of the proposition to
16 annex the district to another district whose boundaries are
17 contiguous, or consolidate the district into a municipality
18 with which the district is coterminous or substantially
19 coterminous, or consolidate the district into the county in
20 which the district sits, then the district shall cease. On the
21 effective date of the of the annexation or consolidation, all
22 the rights, powers, duties, assets, property, liabilities,
23 indebtedness, obligations, bonding authority, taxing
24 authority, and responsibilities of the district shall vest in

1 and be assumed by the governmental unit assuming the functions
2 of the former district.

3 Section 80. The Water Authorities Act is amended by adding
4 Section 28 as follows:

5 (70 ILCS 3715/28 new)

6 Sec. 28. Cessation of authority organization.

7 Notwithstanding any other provision of law, if a majority vote
8 of the board of trustees is in favor of the proposition to
9 annex the authority to another authority whose boundaries are
10 contiguous, or consolidate the authority into a municipality
11 with which the authority is coterminous or substantially
12 coterminous, or consolidate the authority into the county in
13 which the authority sits, then the authority shall cease. On
14 the effective date of the of the annexation or consolidation,
15 all the rights, powers, duties, assets, property, liabilities,
16 indebtedness, obligations, bonding authority, taxing
17 authority, and responsibilities of the authority shall vest in
18 and be assumed by the governmental unit assuming the functions
19 of the former authority.

20 Section 85. The Water Commission Act of 1985 is amended by
21 adding Section 2.1 as follows:

22 (70 ILCS 3720/2.1 new)

1 Sec. 2.1. Cessation of commission organization.
2 Notwithstanding any other provision of law, if a majority vote
3 of the water commission is in favor of the proposition to annex
4 the commission to another commission whose boundaries are
5 contiguous, or consolidate the commission into a municipality
6 with which the commission is coterminous or substantially
7 coterminous, or consolidate the commission into the county in
8 which the commission sits, then the commission shall cease. On
9 the effective date of the of the annexation or consolidation,
10 all the rights, powers, duties, assets, property, liabilities,
11 indebtedness, obligations, bonding authority, taxing
12 authority, and responsibilities of the commission shall vest in
13 and be assumed by the governmental unit assuming the functions
14 of the former commission.

15 Section 90. The Illinois Highway Code is amended by adding
16 Section 6-134 as follows:

17 (605 ILCS 5/6-134 new)

18 Sec. 6-134. Cessation of district organization.
19 Notwithstanding any other provision of law, if a majority vote
20 of the county board is in favor of the proposition to
21 consolidate the road district into a municipality with which
22 the district is coterminous or substantially coterminous, or
23 consolidate the road district into the county in which the
24 district sits, then the district shall cease. On the effective

1 date of the of the consolidation, all the rights, powers,
2 duties, assets, property, liabilities, indebtedness,
3 obligations, bonding authority, taxing authority, and
4 responsibilities of the district shall by operation of law vest
5 in and be assumed by the governmental unit assuming the
6 functions of the former road district.

7 Section 999. Effective date. This Act takes effect upon
8 becoming law.