



Rep. Jack D. Franks

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LRB098 15006 JLK 57719 a

1 AMENDMENT TO HOUSE BILL 5785

2 AMENDMENT NO. _____. Amend House Bill 5785 by replacing
3 everything after the enacting clause with the following:

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 multi-township assessment district into the
11 county in which the district sits, and if the county board of
12 the county assuming the functions of the former district agree
13 by resolution to accept the functions (and jurisdiction over
14 the territory, if applicable) of the consolidated or annexed
15 district, then the district shall cease. On the effective date
16 of the consolidation, all the rights, powers, duties, assets,

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

5 The employees of the former district shall be transferred
6 to the county assuming the functions of the former district.
7 The county assuming the functions of the former district shall
8 exercise the rights and responsibilities of the former district
9 with respect to those employees. The status and rights of the
10 employees of the former district under any applicable contracts
11 or collective bargaining agreements, historical representation
12 rights under the Illinois Public Labor Relations Act, or under
13 any pension, retirement, or annuity plan shall not be affected
14 by this amendatory Act.

15 Section 10. The Counties Code is amended by adding Section
16 5-31022 as follows:

17 (55 ILCS 5/5-31022 new)

18 Sec. 5-31022. Cessation of district organization.
19 Notwithstanding any other provision of law, if a majority vote
20 of the board is in favor of the proposition to annex the
21 district to another district whose boundaries are contiguous,
22 or consolidate the district into a municipality with which the
23 district is coterminous or substantially coterminous, or
24 consolidate the district into the county in which the district

1 sits if the district contains territory within only one county,
2 and if the governing authorities of the governmental unit
3 assuming the functions of the former district agree by
4 resolution to accept the functions (and jurisdiction over the
5 territory, if applicable) of the consolidated or annexed
6 district, then the district shall cease. On the effective date
7 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 The employees of the former district shall be transferred
14 to the governmental unit assuming the functions of the former
15 district. The governmental unit assuming the functions of the
16 former district shall exercise the rights and responsibilities
17 of the former district with respect to those employees. The
18 status and rights of the employees of the former district under
19 any applicable contracts or collective bargaining agreements,
20 historical representation rights under the Illinois Public
21 Labor Relations Act, or under any pension, retirement, or
22 annuity plan shall not be affected by this amendatory Act.

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

1 (70 ILCS 105/13 new)

2 Sec. 13. 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, and if the governing authorities of
10 the governmental unit assuming the functions of the former
11 district agree by resolution to accept the functions (and
12 jurisdiction over the territory, if applicable) of the
13 consolidated or annexed district, then the district shall
14 cease. On the effective date of the annexation or
15 consolidation, all the rights, powers, duties, assets,
16 property, liabilities, indebtedness, obligations, bonding
17 authority, taxing authority, and responsibilities of the
18 district shall vest in and be assumed by the governmental unit
19 assuming the functions of the former district.

20 The employees of the former district shall be transferred
21 to the governmental unit assuming the functions of the former
22 district. The governmental unit assuming the functions of the
23 former district shall exercise the rights and responsibilities
24 of the former district with respect to those employees. The
25 status and rights of the employees of the former district under
26 any applicable contracts or collective bargaining agreements,

1 historical representation rights under the Illinois Public
2 Labor Relations Act, or under any pension, retirement, or
3 annuity plan shall not be affected by this amendatory Act.

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

6 (70 ILCS 200/2-165 new)

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

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

1 The employees of the former authority shall be transferred
2 to the governmental unit assuming the functions of the former
3 authority. The governmental unit assuming the functions of the
4 former authority shall exercise the rights and
5 responsibilities of the former authority with respect to those
6 employees. The status and rights of the employees of the former
7 authority under any applicable contracts or collective
8 bargaining agreements, historical representation rights under
9 the Illinois Public Labor Relations Act, or under any pension,
10 retirement, or annuity plan shall not be affected by this
11 amendatory Act.

12 (b) Notwithstanding the provisions of Section 2-1 of this
13 Code, the provisions of this Section apply to all Civic Center
14 Authorities created under this Code.

15 Section 25. The Public Health District Act is amended by
16 adding Section 26 as follows:

17 (70 ILCS 905/26 new)

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

1 which the district sits, and if the governing authorities of
2 the governmental unit assuming the functions of the former
3 district agree by resolution to accept the functions (and
4 jurisdiction over the territory, if applicable) of the
5 consolidated or annexed district, then the district shall
6 cease. On the effective date of the annexation or
7 consolidation, all the rights, powers, duties, assets,
8 property, liabilities, indebtedness, obligations, bonding
9 authority, taxing authority, and responsibilities of the
10 district shall vest in and be assumed by the governmental unit
11 assuming the functions of the former district.

12 The employees of the former district shall be transferred
13 to the governmental unit assuming the functions of the former
14 district. The governmental unit assuming the functions of the
15 former district shall exercise the rights and responsibilities
16 of the former district with respect to those employees. The
17 status and rights of the employees of the former district under
18 any applicable contracts or collective bargaining agreements,
19 historical representation rights under the Illinois Public
20 Labor Relations Act, or under any pension, retirement, or
21 annuity plan shall not be affected by this amendatory Act.

22 Section 30. The Tuberculosis Sanitarium District Act is
23 amended by adding Section 5.3a as follows:

24 (70 ILCS 920/5.3a new)

1 Sec. 5.3a. Cessation of district organization.
2 Notwithstanding any other provision of law, if a majority vote
3 of the board of directors is in favor of the proposition to
4 annex the district to another district whose boundaries are
5 contiguous, or consolidate the district into a municipality
6 with which the district is coterminous or substantially
7 coterminous, or consolidate the district into the county in
8 which the district sits, and if the governing authorities of
9 the governmental unit assuming the functions of the former
10 district agree by resolution to accept the functions (and
11 jurisdiction over the territory, if applicable) of the
12 consolidated or annexed district, then the district shall
13 cease. On the effective date of the annexation or
14 consolidation, all the rights, powers, duties, assets,
15 property, liabilities, indebtedness, obligations, bonding
16 authority, taxing authority, and responsibilities of the
17 district shall vest in and be assumed by the governmental unit
18 assuming the functions of the former district.

19 The employees of the former district shall be transferred
20 to the governmental unit assuming the functions of the former
21 district. The governmental unit assuming the functions of the
22 former district shall exercise the rights and responsibilities
23 of the former district with respect to those employees. The
24 status and rights of the employees of the former district under
25 any applicable contracts or collective bargaining agreements,
26 historical representation rights under the Illinois Public

1 Labor Relations Act, or under any pension, retirement, or
2 annuity plan shall not be affected by this amendatory Act.

3 Section 35. The Museum District Act is amended by adding
4 Section 27 as follows:

5 (70 ILCS 1105/27 new)

6 Sec. 27. Cessation of district organization.
7 Notwithstanding any other provision of law, if a majority vote
8 of the board of commissioners is in favor of the proposition to
9 annex the district to another district whose boundaries are
10 contiguous, or consolidate the district into a municipality
11 with which the district is coterminous or substantially
12 coterminous, or consolidate the district into the county in
13 which the district sits, and if the governing authorities of
14 the governmental unit assuming the functions of the former
15 district agree by resolution to accept the functions (and
16 jurisdiction over the territory, if applicable) of the
17 consolidated or annexed district, then the district shall
18 cease. On the effective date of the annexation or
19 consolidation, all the rights, powers, duties, assets,
20 property, liabilities, indebtedness, obligations, bonding
21 authority, taxing authority, and responsibilities of the
22 district shall vest in and be assumed by the governmental unit
23 assuming the functions of the former district.

24 The employees of the former district shall be transferred

1 to the governmental unit assuming the functions of the former
2 district. The governmental unit assuming the functions of the
3 former district shall exercise the rights and responsibilities
4 of the former district with respect to those employees. The
5 status and rights of the employees of the former district under
6 any applicable contracts or collective bargaining agreements,
7 historical representation rights under the Illinois Public
8 Labor Relations Act, or under any pension, retirement, or
9 annuity plan shall not be affected by this amendatory Act.

10 Section 40. The Illinois International Port District Act is
11 amended by adding Section 28 as follows:

12 (70 ILCS 1810/28 new)

13 Sec. 28. Cessation of district organization.
14 Notwithstanding any other provision of law, if a majority vote
15 of the Board is in favor of the proposition to annex the
16 district to another district whose boundaries are contiguous,
17 or consolidate the district into a municipality with which the
18 district is coterminous or substantially coterminous, or
19 consolidate the district into the county in which the district
20 sits, and if the governing authorities of the governmental unit
21 assuming the functions of the former district agree by
22 resolution to accept the functions (and jurisdiction over the
23 territory, if applicable) of the consolidated or annexed
24 district, then the district shall cease. On the effective date

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

7 The employees of the former district shall be transferred
8 to the governmental unit assuming the functions of the former
9 district. The governmental unit assuming the functions of the
10 former district shall exercise the rights and responsibilities
11 of the former district with respect to those employees. The
12 status and rights of the employees of the former district under
13 any applicable contracts or collective bargaining agreements,
14 historical representation rights under the Illinois Public
15 Labor Relations Act, or under any pension, retirement, or
16 annuity plan shall not be affected by this amendatory Act.

17 Section 45. The Solid Waste Disposal District Act is
18 amended by adding Section 25 as follows:

19 (70 ILCS 3105/25 new)

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

1 district is coterminous or substantially coterminous, or
2 consolidate the district into the county in which the district
3 sits if the district contains territory within only one county,
4 and if the governing authorities of the governmental unit
5 assuming the functions of the former district agree by
6 resolution to accept the functions (and jurisdiction over the
7 territory, if applicable) of the consolidated or annexed
8 district, then the district shall cease. On the effective date
9 of the annexation or consolidation, all the rights, powers,
10 duties, assets, property, liabilities, indebtedness,
11 obligations, bonding authority, taxing authority, and
12 responsibilities of the district shall vest in and be assumed
13 by the governmental unit assuming the functions of the former
14 district.

15 The employees of the former district shall be transferred
16 to the governmental unit assuming the functions of the former
17 district. The governmental unit assuming the functions of the
18 former district shall exercise the rights and responsibilities
19 of the former district with respect to those employees. The
20 status and rights of the employees of the former district under
21 any applicable contracts or collective bargaining agreements,
22 historical representation rights under the Illinois Public
23 Labor Relations Act, or under any pension, retirement, or
24 annuity plan shall not be affected by this amendatory Act.

25 Section 50. The Street Light District Act is amended by

1 adding Section 11 as follows:

2 (70 ILCS 3305/11 new)

3 Sec. 11. Cessation of district organization.

4 Notwithstanding any other provision of law, if a majority vote
5 of the board of trustees is in favor of the proposition to
6 annex the district to another district whose boundaries are
7 contiguous, or consolidate the district into a municipality
8 with which the district is coterminous or substantially
9 coterminous, or consolidate the district into the county in
10 which the district sits if the district contains territory
11 within only one county, and if the governing authorities of the
12 governmental unit assuming the functions of the former district
13 agree by resolution to accept the functions (and jurisdiction
14 over the territory, if applicable) of the consolidated or
15 annexed district, then the district shall cease. On the
16 effective date of the annexation or consolidation, all the
17 rights, powers, duties, assets, property, liabilities,
18 indebtedness, obligations, bonding authority, taxing
19 authority, and responsibilities of the district shall vest in
20 and be assumed by the governmental unit assuming the functions
21 of the former district.

22 The employees of the former district shall be transferred
23 to the governmental unit assuming the functions of the former
24 district. The governmental unit assuming the functions of the
25 former district shall exercise the rights and responsibilities

1 of the former district with respect to those employees. The
2 status and rights of the employees of the former district under
3 any applicable contracts or collective bargaining agreements,
4 historical representation rights under the Illinois Public
5 Labor Relations Act, or under any pension, retirement, or
6 annuity plan shall not be affected by this amendatory Act.

7 Section 55. The Surface Water Protection District Act is
8 amended by adding Section 25 as follows:

9 (70 ILCS 3405/25 new)

10 Sec. 25. Cessation of district organization.
11 Notwithstanding any other provision of law, if a majority vote
12 of the board of trustees 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 if the district contains territory
18 within only one county, and if the governing authorities of the
19 governmental unit assuming the functions of the former district
20 agree by resolution to accept the functions (and jurisdiction
21 over the territory, if applicable) of the consolidated or
22 annexed district, then the district shall cease. On the
23 effective date of the annexation or consolidation, all the
24 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 The employees of the former district shall be transferred
6 to the governmental unit assuming the functions of the former
7 district. The governmental unit assuming the functions of the
8 former district shall exercise the rights and responsibilities
9 of the former district with respect to those employees. The
10 status and rights of the employees of the former district under
11 any applicable contracts or collective bargaining agreements,
12 historical representation rights under the Illinois Public
13 Labor Relations Act, or under any pension, retirement, or
14 annuity plan shall not be affected by this amendatory Act.

15 Section 60. The Water Service District Act is amended by
16 adding Section 13 as follows:

17 (70 ILCS 3710/13 new)

18 Sec. 13. Cessation of district organization.
19 Notwithstanding any other provision of law, if a majority vote
20 of the board of trustees is in favor of the proposition to
21 annex the district to another district whose boundaries are
22 contiguous, or consolidate the district into a municipality
23 with which the district is coterminous or substantially
24 coterminous, or consolidate the district into the county in

1 which the district sits if the district contains territory
2 within only one county, and if the governing authorities of the
3 governmental unit assuming the functions of the former district
4 agree by resolution to accept the functions (and jurisdiction
5 over the territory, if applicable) of the consolidated or
6 annexed district, then the district shall cease. On the
7 effective date of the annexation or consolidation, all the
8 rights, powers, duties, assets, property, liabilities,
9 indebtedness, obligations, bonding authority, taxing
10 authority, and responsibilities of the district shall vest in
11 and be assumed by the governmental unit assuming the functions
12 of the former district.

13 The employees of the former district shall be transferred
14 to the governmental unit assuming the functions of the former
15 district. The governmental unit assuming the functions of the
16 former district shall exercise the rights and responsibilities
17 of the former district with respect to those employees. The
18 status and rights of the employees of the former district under
19 any applicable contracts or collective bargaining agreements,
20 historical representation rights under the Illinois Public
21 Labor Relations Act, or under any pension, retirement, or
22 annuity plan shall not be affected by this amendatory Act.

23 Section 65. The Water Authorities Act is amended by adding
24 Section 28 as follows:

1 (70 ILCS 3715/28 new)

2 Sec. 28. Cessation of authority 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 authority to another authority whose boundaries are
6 contiguous, or consolidate the authority into a municipality
7 with which the authority is coterminous or substantially
8 coterminous, or consolidate the authority into the county in
9 which the authority sits if the authority contains territory
10 within only one county, and if the governing authorities of the
11 governmental unit assuming the functions of the former
12 authority agree by resolution to accept the functions (and
13 jurisdiction over the territory, if applicable) of the
14 consolidated or annexed authority, then the authority shall
15 cease. On the effective date of the annexation or
16 consolidation, all the rights, powers, duties, assets,
17 property, liabilities, indebtedness, obligations, bonding
18 authority, taxing authority, and responsibilities of the
19 authority shall vest in and be assumed by the governmental unit
20 assuming the functions of the former authority.

21 The employees of the former authority shall be transferred
22 to the governmental unit assuming the functions of the former
23 authority. The governmental unit assuming the functions of the
24 former authority shall exercise the rights and
25 responsibilities of the former authority with respect to those
26 employees. The status and rights of the employees of the former

1 authority under any applicable contracts or collective
2 bargaining agreements, historical representation rights under
3 the Illinois Public Labor Relations Act, or under any pension,
4 retirement, or annuity plan shall not be affected by this
5 amendatory Act.

6 Section 70. The Water Commission Act of 1985 is amended by
7 adding Section 2.1 as follows:

8 (70 ILCS 3720/2.1 new)

9 Sec. 2.1. Cessation of commission organization.
10 Notwithstanding any other provision of law, if a majority vote
11 of the water commission is in favor of the proposition to annex
12 the commission to another commission whose boundaries are
13 contiguous, or consolidate the commission into a municipality
14 with which the commission is coterminous or substantially
15 coterminous, or consolidate the commission into the county in
16 which the commission sits, and if the governing authorities of
17 the governmental unit assuming the functions of the former
18 commission agree by resolution to accept the functions (and
19 jurisdiction over the territory, if applicable) of the
20 consolidated or annexed commission, then the commission shall
21 cease. On the effective date of the annexation or
22 consolidation, all the rights, powers, duties, assets,
23 property, liabilities, indebtedness, obligations, bonding
24 authority, taxing authority, and responsibilities of the

1 commission shall vest in and be assumed by the governmental
2 unit assuming the functions of the former commission.

3 The employees of the former commission shall be transferred
4 to the governmental unit assuming the functions of the former
5 commission. The governmental unit assuming the functions of the
6 former commission shall exercise the rights and
7 responsibilities of the former commission with respect to those
8 employees. The status and rights of the employees of the former
9 commission under any applicable contracts or collective
10 bargaining agreements, historical representation rights under
11 the Illinois Public Labor Relations Act, or under any pension,
12 retirement, or annuity plan shall not be affected by this
13 amendatory Act.

14 Section 75. The Illinois Highway Code is amended by adding
15 Section 6-134 as follows:

16 (605 ILCS 5/6-134 new)

17 Sec. 6-134. Cessation of district organization.
18 Notwithstanding any other provision of law, if a majority vote
19 of the county board is in favor of the proposition to
20 consolidate the road district into a municipality with which
21 the district is coterminous or substantially coterminous, or
22 consolidate the road district into the county in which the
23 district sits, and if the governing authorities of the
24 governmental unit assuming the functions of the former district

1 agree by resolution to accept the functions (and jurisdiction
2 over the territory, if applicable) of the consolidated or
3 annexed district, then the district shall cease. On the
4 effective date of the consolidation, all the rights, powers,
5 duties, assets, property, liabilities, indebtedness,
6 obligations, bonding authority, taxing authority, and
7 responsibilities of the district shall by operation of law vest
8 in and be assumed by the governmental unit assuming the
9 functions of the former road district.

10 The employees of the former district shall be transferred
11 to the governmental unit assuming the functions of the former
12 district. The governmental unit assuming the functions of the
13 former district shall exercise the rights and responsibilities
14 of the former district with respect to those employees. The
15 status and rights of the employees of the former district under
16 any applicable contracts or collective bargaining agreements,
17 historical representation rights under the Illinois Public
18 Labor Relations Act, or under any pension, retirement, or
19 annuity plan shall not be affected by this amendatory Act.

20 Section 999. Effective date. This Act takes effect upon
21 becoming law."