

AN ACT concerning local government.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Counties Code is amended by changing Section 5-44025 as follows:

(55 ILCS 5/5-44025)

Sec. 5-44025. Dissolution of units of local government.

(a) A county board may, by ordinance, propose the dissolution of a unit of local government. The ordinance shall detail the purpose and cost savings to be achieved by such dissolution, and be published in a newspaper of general circulation served by the unit of local government and on the county's website, if applicable.

(b) Upon the effective date of an ordinance enacted pursuant to subsection (a) of this Section, the chairman of the county board shall cause an audit of all claims against the unit, all receipts of the unit, the inventory of all real and personal property owned by the unit or under its control or management, and any debts owed by the unit. The chairman may, at his or her discretion, undertake any other audit or financial review of the affairs of the unit. The person or entity conducting such audit shall report the findings of the audit to the county board and to the chairman of the county

board within 30 days or as soon thereafter as is practicable.

(c) Following the return of the audit report required by subsection (b) of this Section, the county board may adopt an ordinance authorizing the dissolution of ~~dissolving~~ the unit not less than 60 ~~150~~ days following the court's appointment of a trustee-in-dissolution as provided in this Division ~~effective date of the ordinance.~~ Upon adoption of the ordinance, but not before the end of the 30-day period set forth in subsection (e) of this Section and prior to its effective date, the chairman of the county board shall petition the circuit court for an order designating a trustee-in-dissolution for the unit, immediately terminating the terms of the members of the governing board of the unit of local government ~~on the effective date of the ordinance,~~ and providing for the compensation of the trustee, which shall be paid from the corporate funds of the unit.

(d) Upon the court's appointment of a trustee-in-dissolution ~~effective date of an ordinance enacted under subsection (c) of this Section,~~ and notwithstanding any other provision of law, the State's attorney, or his or her designee, shall become the exclusive legal representative of the dissolving unit of local government. The county treasurer shall become the treasurer of the unit of local government and the county clerk shall become the secretary of the unit of local government.

(e) Any dissolution of a unit of local government proposed

pursuant to this Act shall be subject to a backdoor referendum. Upon adoption of ~~In addition to, or as part of,~~ the authorizing ordinance enacted pursuant to subsection (c) of this Section, the county shall publish a notice ~~shall be published~~ that includes: (1) the specific number of voters required to sign a petition requesting that the question of dissolution be submitted to referendum; (2) the time when such petition must be filed; (3) the date of the prospective referendum; and (4) the statement of the cost savings and the purpose or basis for the dissolution as set forth in the authorizing ordinance under subsection (a) of this Section. The county's election authority shall provide a petition form to anyone requesting one. If no petition is filed with the county's election authority within 30 days of publication of the authorizing ordinance and notice, the chairman of the county board is authorized to proceed pursuant to subsection (c) of this Section ~~the ordinance shall become effective.~~

However, the election authority shall certify the question for submission at the next election held in accordance with general election law if a petition: (1) is filed within the 30-day period; (2) is signed by electors numbering either 7.5% of the registered voters in the governmental unit or 200 registered voters, whichever is less; and (3) asks that the question of dissolution be submitted to referendum.

The election authority shall submit the question to voters residing in the area served by the unit of local government in

substantially the following form:

Shall the county board be authorized to dissolve [name of unit of local government]?

The election authority shall record the votes as "Yes" or "No".

If a majority of the votes cast on the question at such election are in favor of dissolution of the unit of local government and provided that notice of the referendum was provided as set forth in Section 12-5 of the Election Code, the chairman of the county board is authorized to proceed pursuant to subsection (c) of this Section.

(Source: P.A. 98-126, eff. 8-2-13.)