

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 1. Legislative intent. It is hereby declared as the
5 intent of this amendatory Act of the 100th General Assembly to
6 promote consolidation of redundant layers of government and to
7 promote government efficiency.

8 Section 5. The Election Code is amended by changing
9 Sections 28-1 and 28-7 and by adding Section 3-7 as follows:

10 (10 ILCS 5/3-7 new)

11 Sec. 3-7. Voters in consolidating and merging townships.

12 (a) In the consolidated election where township trustees
13 are elected next following the certification of a successful
14 referendum to consolidate townships under Article 22 of the
15 Township Code, the qualified electors entitled to caucus, vote
16 for, be nominated for, and run for offices in the consolidated
17 township that is to be formed are those registered voters
18 residing in any of the townships identified in the referendum
19 as they exist prior to consolidation.

20 (b) In the consolidated election where township trustees
21 are elected next following the certification of a successful
22 referendum to dissolve a township and merge its territory into

1 2 adjacent townships under Article 23 of the Township Code, the
2 qualified electors entitled to caucus, vote for, be nominated
3 for, and run for offices in a receiving township shall also
4 include those registered voters residing in the territory of
5 the dissolving township described in the resolutions adopted
6 under Section 23-10 of the Township Code or petitions filed
7 under Section 23-17 of the Township Code as the territory to be
8 merged with the receiving township. For purposes of this
9 subsection (b) only, "dissolving township" and "receiving
10 township" have the meaning provided in Section 23-5 of the
11 Township Code.

12 (10 ILCS 5/28-1) (from Ch. 46, par. 28-1)

13 Sec. 28-1. The initiation and submission of all public
14 questions to be voted upon by the electors of the State or of
15 any political subdivision or district or precinct or
16 combination of precincts shall be subject to the provisions of
17 this Article.

18 Questions of public policy which have any legal effect
19 shall be submitted to referendum only as authorized by a
20 statute which so provides or by the Constitution. Advisory
21 questions of public policy shall be submitted to referendum
22 pursuant to Section 28-5 or pursuant to a statute which so
23 provides.

24 The method of initiating the submission of a public
25 question shall be as provided by the statute authorizing such

1 public question, or as provided by the Constitution.

2 All public questions shall be initiated, submitted and
3 printed on the ballot in the form required by Section 16-7 of
4 this Act, except as may otherwise be specified in the statute
5 authorizing a public question.

6 Whenever a statute provides for the initiation of a public
7 question by a petition of electors, the provisions of such
8 statute shall govern with respect to the number of signatures
9 required, the qualifications of persons entitled to sign the
10 petition, the contents of the petition, the officer with whom
11 the petition must be filed, and the form of the question to be
12 submitted. If such statute does not specify any of the
13 foregoing petition requirements, the corresponding petition
14 requirements of Section 28-6 shall govern such petition.

15 Irrespective of the method of initiation, not more than 3
16 public questions other than (a) back door referenda, (b)
17 referenda to determine whether a disconnection may take place
18 where a city coterminous with a township is proposing to annex
19 territory from an adjacent township, (c) referenda held under
20 the provisions of the Property Tax Extension Limitation Law in
21 the Property Tax Code, ~~or~~ (d) referenda held under Section
22 2-3002 of the Counties Code, or (e) referenda held under
23 Article 22, 23, or 29 of the Township Code may be submitted to
24 referendum with respect to a political subdivision at the same
25 election.

26 If more than 3 propositions are timely initiated or

1 certified for submission at an election with respect to a
2 political subdivision, the first 3 validly initiated, by the
3 filing of a petition or by the adoption of a resolution or
4 ordinance of a political subdivision, as the case may be, shall
5 be printed on the ballot and submitted at that election.
6 However, except as expressly authorized by law not more than
7 one proposition to change the form of government of a
8 municipality pursuant to Article VII of the Constitution may be
9 submitted at an election. If more than one such proposition is
10 timely initiated or certified for submission at an election
11 with respect to a municipality, the first validly initiated
12 shall be the one printed on the ballot and submitted at that
13 election.

14 No public question shall be submitted to the voters of a
15 political subdivision at any regularly scheduled election at
16 which such voters are not scheduled to cast votes for any
17 candidates for nomination for, election to or retention in
18 public office, except that if, in any existing or proposed
19 political subdivision in which the submission of a public
20 question at a regularly scheduled election is desired, the
21 voters of only a portion of such existing or proposed political
22 subdivision are not scheduled to cast votes for nomination for,
23 election to or retention in public office at such election, but
24 the voters in one or more other portions of such existing or
25 proposed political subdivision are scheduled to cast votes for
26 nomination for, election to or retention in public office at

1 such election, the public question shall be voted upon by all
2 the qualified voters of the entire existing or proposed
3 political subdivision at the election.

4 Not more than 3 advisory public questions may be submitted
5 to the voters of the entire state at a general election. If
6 more than 3 such advisory propositions are initiated, the first
7 3 timely and validly initiated shall be the questions printed
8 on the ballot and submitted at that election; provided however,
9 that a question for a proposed amendment to Article IV of the
10 Constitution pursuant to Section 3, Article XIV of the
11 Constitution, or for a question submitted under the Property
12 Tax Cap Referendum Law, shall not be included in the foregoing
13 limitation.

14 (Source: P.A. 93-308, eff. 7-23-03.)

15 (10 ILCS 5/28-7) (from Ch. 46, par. 28-7)

16 Sec. 28-7. Except as provided in Sections 22-12 and 23-17
17 of the Township Code, in ~~in~~ any case in which Article VII or
18 paragraph (a) of Section 5 of the Transition Schedule of the
19 Constitution authorizes any action to be taken by or with
20 respect to any unit of local government, as defined in Section
21 1 of Article VII of the Constitution, by or subject to approval
22 by referendum, any such public question shall be initiated in
23 accordance with this Section.

24 Any such public question may be initiated by the governing
25 body of the unit of local government by resolution or by the

1 filing with the clerk or secretary of the governmental unit of
2 a petition signed by a number of qualified electors equal to or
3 greater than at least 8% of the total votes cast for candidates
4 for Governor in the preceding gubernatorial election,
5 requesting the submission of the proposal for such action to
6 the voters of the governmental unit at a regular election.

7 If the action to be taken requires a referendum involving 2
8 or more units of local government, the proposal shall be
9 submitted to the voters of such governmental units by the
10 election authorities with jurisdiction over the territory of
11 the governmental units. Such multi-unit proposals may be
12 initiated by appropriate resolutions by the respective
13 governing bodies or by petitions of the voters of the several
14 governmental units filed with the respective clerks or
15 secretaries.

16 This Section is intended to provide a method of submission
17 to referendum in all cases of proposals for actions which are
18 authorized by Article VII of the Constitution by or subject to
19 approval by referendum and supersedes any conflicting
20 statutory provisions except those contained in Section 22-12 of
21 the Township Code, Section 23-17 of the Township Code, and
22 Division 2-5 of the Counties Code ~~the "County Executive Act"~~.

23 Referenda provided for in this Section may not be held more
24 than once in any 23-month period on the same proposition,
25 provided that in any municipality a referendum to elect not to
26 be a home rule unit may be held only once within any 47-month

1 period.

2 (Source: P.A. 97-81, eff. 7-5-11.)

3 Section 10. The Counties Code is amended by changing the
4 heading of Division 2-4, by changing Sections 2-4006, 5-44010,
5 5-44020, and by adding Section 5-44043 as follows:

6 (55 ILCS 5/Div. 2-4 heading)

7 Division 2-4. Counties not under

8 Township Organization

9 Organized as a Commission

10 Form of Government

11 (55 ILCS 5/2-4006)

12 Sec. 2-4006. Terms of commissioners.

13 (a) In every county not under township organization that is
14 organized as a commission form of government having 3
15 commissioners elected at large as described in subsection (b)
16 or (c), the commissioners shall be elected as provided in this
17 Section.

18 (b) In a county in which one commissioner was elected at
19 the general election in 1992 to serve for a term of 4 years and
20 in which 2 commissioners will be elected at the general
21 election in 1994, the commissioner elected in 1994 and
22 receiving the greatest number of votes shall serve for a term
23 of 6 years. The other commissioner elected in 1994 shall serve

1 for a term of 4 years. At the general election in 1996 and at
2 each general election thereafter, one commissioner shall be
3 elected to serve for a term of 6 years.

4 (c) In a county in which 2 commissioners were elected at
5 the general election in 1992 to serve for terms of 4 years and
6 in which one commissioner will be elected at the general
7 election in 1994, the commissioner elected in 1994 shall serve
8 for a term of 4 years. The commissioner elected in 1996 and
9 receiving the greatest number of votes shall serve for a term
10 of 6 years. The other commissioner elected in 1996 shall serve
11 for a term of 4 years. At the general election in 1998 and at
12 each general election thereafter, one commissioner shall be
13 elected to serve for a term of 6 years.

14 (c-5) In Calhoun County, Edwards County, and Union County,
15 the registered voters of the county may, upon referendum
16 initiated by (i) the adoption of a resolution of the board of
17 county commissioners or (ii) a petition signed by not less than
18 10% of the registered voters in the county, determine that the
19 board of county commissioners shall consist of 5 commissioners
20 elected at large. The commissioners must certify the question
21 to the proper election authority, which must submit the
22 question at an election in accordance with the general election
23 law.

24 The question shall be submitted in substantially the
25 following form:

26 "Shall the board of county commissioners of (county)

1 consist of 5 commissioners elected at large?"

2 Votes must be recorded as "Yes" or "No". If a majority of
3 the electors voting on the question vote in the affirmative,
4 then a 5-member board of county commissioners shall be
5 established beginning with the next general election. The
6 County Clerk, in consultation with the State's Attorney for the
7 county, shall develop and present to the board of county
8 commissioners, to implement by the adoption of a resolution,
9 the transition of terms for the current 3-member board of
10 commissioners and the addition of 2 commissioners for 6-year
11 terms. Thereafter, commissioners shall be elected at each
12 general election to fill expired terms.

13 (d) The provisions of this Section do not apply to
14 commissioners elected under Section 2-4006.5 of this Code.

15 (Source: P.A. 96-175, eff. 8-10-09.)

16 (55 ILCS 5/5-44010)

17 Sec. 5-44010. Applicability. The powers and authorities
18 provided by this Division 5-44 apply to all counties ~~DuPage,~~
19 ~~Lake, and McHenry Counties~~ and units of local government within
20 such counties.

21 (Source: P.A. 98-126, eff. 8-2-13; 99-709, eff. 8-5-16.)

22 (55 ILCS 5/5-44020)

23 Sec. 5-44020. Definitions. In this Division 5-44:

24 "Fire protection jurisdiction" means a fire protection

1 district, municipal fire department, or service organized
2 under Section 5-1056.1 of the Counties Code, Sections 195 and
3 200 of the Township Code, Section 10-2.1 of the Illinois
4 Municipal Code, or the Illinois Fire Protection District Act.

5 "Governing board" means the individual or individuals who
6 constitute the corporate authorities of a unit of local
7 government.

8 "Unit of local government" or "unit" means any unit of
9 local government located entirely within one county, to which
10 the county board chairman or county executive directly appoints
11 a majority of its governing board with the advice and consent
12 of the county board, but shall not include a fire protection
13 district that directly employs any regular full-time
14 employees, a conservation district organized under the
15 Conservation District Act, ~~or~~ a special district organized
16 under the Water Commission Act of 1985, a community mental
17 health board established under the Community Mental Health
18 Board Act, or a board established under the County Care for
19 Persons with Developmental Disabilities Act.

20 (Source: P.A. 98-126, eff. 8-2-13; 98-756, eff. 7-16-14;
21 99-709, eff. 8-5-16.)

22 (55 ILCS 5/5-44043 new)

23 Sec. 5-44043. Rights and obligations of employees.

24 (a) The status and rights of employees represented by an
25 exclusive bargaining representative shall not be affected by

1 the dissolution of a unit of local government under this
2 Division, except that this subsection does not apply in DuPage,
3 Lake, and McHenry Counties for actions taken before the
4 effective date of this amendatory Act of the 100th General
5 Assembly.

6 (b) Obligations of the dissolving unit of local government
7 assumed by the trustee-in-dissolution, county, or governing
8 body of a special service area include the obligation to honor
9 representation rights under the Illinois Public Labor
10 Relations Act and any collective bargaining agreements
11 existing on the date of dissolution of the unit of local
12 government.

13 (c) The rights of employees under any pensions, retirement
14 plans, or annuity plans existing on the date of dissolution of
15 the unit of local government are not affected by the
16 dissolution of a unit of local government under this Division.

17 Section 15. The Township Code is amended by adding Articles
18 22, 23, and 29 and by changing Sections 10-25, 25-15, 25-25,
19 and 65-20 as follows:

20 (60 ILCS 1/10-25)

21 Sec. 10-25. Plan for changes in townships.

22 (a) The county board of each county may, subject to a
23 referendum in the townships affected as provided in this
24 Section, adopt a plan for altering the boundaries of townships,

1 changing township lines, dividing, enlarging, or consolidating
2 townships, or creating new townships, so that each township
3 shall possess an equalized assessed valuation of not less than
4 \$10,000,000 as of the 1982 assessment year ~~or an area of not~~
5 ~~more than 126 square miles.~~

6 (b) No alteration or change in boundaries shall be
7 effective unless approved by a referendum in each township
8 affected. The election authority shall submit to the voters of
9 each township affected, at a regular election to be held not
10 less than 60 days after the plan is adopted, the question of
11 approving the alteration or change. The alterations or changes,
12 if approved by the voters, shall take effect on the date of the
13 next township election and shall be applicable to that
14 election. If there is doubt as to the township clerk with whom
15 nomination papers for that election should be filed, the county
16 board shall designate the clerk. In the alteration of
17 boundaries, a county board may not disturb urban or coterminous
18 townships in existence on October 1, 1978.

19 (Source: P.A. 84-1308; 88-62.)

20 (60 ILCS 1/Art. 22 heading new)

21 ARTICLE 22. CONSOLIDATION OF

22 MULTIPLE TOWNSHIPS

23 (60 ILCS 1/22-5 new)

24 Sec. 22-5. Resolution for consolidation; notice.

1 (a) Notwithstanding any other provision of law to the
2 contrary, the township boards of any 2 or more adjacent
3 townships may, by identical resolutions of each board, propose
4 consolidation by referendum: (i) into a new township; or (ii)
5 into an existing township. Each resolution shall include, but
6 is not limited to, the following:

7 (1) the name of the proposed new consolidated township
8 or the name of the existing township into which all
9 townships will be consolidated;

10 (2) a description of how each road district or road
11 districts of a dissolving township shall comply with
12 subsection (c) of Section 22-20 if a township will be
13 consolidating into an existing township;

14 (3) the names of all townships that will be
15 consolidating and a description of the area of
16 consolidation; and

17 (4) the date of the general election at which the
18 referendum shall be held.

19 All resolutions shall be passed not less than 79 days
20 before the general election stated in the resolutions. For
21 purposes of this Section, 3 or more townships are adjacent when
22 each township shares a boundary with at least one of the other
23 townships which are to be consolidated.

24 (b) Before passing a resolution under subsection (a), each
25 township board shall hold a public hearing on those matters
26 after notice of the hearing has been published on the main page

1 of the townships' websites, if any, and in a newspaper having a
2 general circulation in the townships affected. The notice shall
3 be published at least 30 days before the date of the hearing.
4 The notice shall contain, at a minimum, the name of all
5 townships that will be consolidating and a description of the
6 area of consolidation.

7 (60 ILCS 1/22-10 new)

8 Sec. 22-10. Referendum.

9 (a) Upon the adoption of resolutions under Section 22-5 by
10 each township or the submission of petitions meeting the
11 requirements of Section 22-12, the township boards shall
12 certify the question to the proper election authority, or the
13 circuit court for the county in which each township is located
14 shall certify the question to the proper election authority for
15 submission of petitions meeting the requirements of Section
16 22-12, and the authority shall cause to be submitted to the
17 voters of each township at the general election specified in
18 the resolutions or petitions a referendum to consolidate the
19 townships. The referendum shall be substantially in the
20 following form:

21 Shall (names of townships) be consolidated into [a new
22 township called (name of proposed consolidated
23 township)/the township of (name of existing township)]?

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

25 A referendum initiated upon the adoption of resolutions

1 under Section 22-5 is approved when a majority of the voters,
2 in each of the affected townships, approve the referendum. A
3 referendum initiated by petitions meeting the requirements of
4 Section 22-12 is approved when 60% of the voters, in each of
5 the affected townships, approve the referendum.

6 (b) Before a referendum appears on the ballot under
7 subsection (a), each township board shall publish a copy of the
8 adopted resolution on the main page of the townships' websites,
9 if any, and in a newspaper having a general circulation in each
10 of the townships affected. The notice shall be published at
11 least 30 days before the date of the general election in which
12 the referendum will appear.

13 Each township board shall additionally mail a copy of the
14 adopted resolution, along with a copy of the referendum
15 language and a list of all taxes levied for general township
16 purposes in the affected townships, to every registered voter
17 in each township affected. The notice shall be mailed at least
18 30 days before the date of the general election in which the
19 referendum will appear.

20 (c) Notwithstanding any provision of law to the contrary,
21 no tax rate may be extended for any fund of the consolidated
22 district for the first levy year of the consolidated district
23 that exceeds any statutory maximum set forth for that fund,
24 unless the referendum also conforms to the requirements of the
25 Property Tax Extension Limitation Law or other statutory
26 provision setting forth that limitation.

1 (60 ILCS 1/22-12 new)

2 Sec. 22-12. Voter-initiated township consolidation.

3 (a) In the counties of Cass, Henderson, and Cumberland, a
4 referendum to propose township consolidation under this
5 Article may also be initiated by petitions meeting the
6 requirements of subsection (b).

7 (b) Subject to the petition requirements of the Election
8 Code, petitions for a referendum to consolidate under this
9 Section must be filed with the circuit court for the county in
10 which the affected townships are located not less than 122 days
11 prior to the election at which the referendum will be voted. A
12 petition must be filed for each consolidating township and
13 shall be signed by not less than 10% of the total number of
14 electors voting at the last general election in each township.
15 All signatures gathered must be signed within 365 days prior to
16 the filing of the petitions.

17 (c) Upon filing the petitions with the circuit court, the
18 parties so filing shall publish notice in a newspaper of
19 general circulation within the territory of the townships
20 affected. Failure to publish the required notice of petitions
21 shall render the petition, and the results of any referendum
22 held on the petition, null and void.

23 (d) Upon the submission of petitions requesting township
24 consolidation under this Section, the clerk of the circuit
25 court shall submit copies of all the petitions to the governing

1 board of each affected township. The clerk of the circuit court
2 shall then certify the question to the proper election
3 authorities in accordance with the Election Code.

4 (e) After certification of the question, each township
5 board shall hold a public hearing on the matter of
6 consolidation after notice of the hearing has been published on
7 the main page of the townships' websites, if any, and in a
8 newspaper having a general circulation in the townships
9 affected. The notice shall be published at least 30 days before
10 the date of the hearing. The notice shall contain, at a
11 minimum, the name of all townships that will be consolidating
12 and a description of the area of consolidation.

13 (f) A referendum under this Section may be held no earlier
14 than the general election in the year 2020.

15 (60 ILCS 1/22-15 new)

16 Sec. 22-15. Transition. Notwithstanding any other
17 provision of law to the contrary, upon the approval of a
18 referendum under Section 22-10:

19 (a) There shall be no further nominations or elections for
20 clerks, assessors, collectors, highway commissioners,
21 supervisors, or trustees of any of the separate townships or
22 highway commissions, and the terms of all such officers
23 currently serving shall continue until the third Monday of May
24 of the year in which township officials are elected next
25 following the approval of a referendum under Section 22-10.

1 (b) A Transition Township Board is formed and is composed
2 of the members of the separate townships boards. The Transition
3 Township Board has only the following powers: (1) to propose
4 and approve the compensation of all officials of the
5 consolidated township that will be elected at the consolidated
6 election next following the passage of the referendum under
7 Section 22-10; and (2) to propose and approve additional debt
8 to be taken on by any of the separate townships.

9 (c) The Transition Township Board shall hold a public
10 hearing no later than the last Tuesday in December before the
11 consolidated township board of trustees are elected next
12 following the approval of a referendum under Section 22-10. If
13 the Board cannot agree on the compensation for an official by
14 the first Tuesday in April before the consolidated election of
15 township officials next following the approval of a referendum
16 under Section 22-10, then the compensation for that official
17 shall be equal to the lowest compensation for the same office
18 between the separate townships in the preceding calendar year.

19 (d) The separate townships shall not incur any additional
20 debt without the approval of the Transition Township Board. For
21 purposes of this Section, "debt" has the meaning ascribed to
22 that term in Section 23-5.

23 (e) Section 3-7 of the Election Code shall govern those
24 individuals entitled to caucus, vote for, be nominated for, and
25 run for offices for the consolidated township at the
26 consolidated election of township officials next following the

1 approval of a referendum under Section 22-10.

2 (60 ILCS 1/22-20 new)

3 Sec. 22-20. Consolidated township.

4 (a) On the third Monday of May of the year in which
5 township officials are elected following the approval of a
6 referendum under Section 22-10, the following shall occur:

7 (1) the separate townships cease and the consolidated
8 township is created;

9 (2) all rights, powers, duties, assets, and property,
10 together with all personnel, contractual obligations,
11 other obligations, responsibilities, and liabilities of
12 the separate townships are transferred to the consolidated
13 township; those rights include, but are not limited to, the
14 authority to continue to collect, receive, and expend the
15 proceeds of any tax levied by any of the separate townships
16 prior to the creation of the consolidated township without
17 an additional ordinance, resolution, or referendum; the
18 proceeds of any tax levied by any of the separate townships
19 prior to the creation of the consolidated township shall be
20 expended or disposed of by the consolidated township in the
21 same manner as such assessments might have been expended or
22 disposed of by the separate townships; however, if the
23 consolidated township board determines that there is a
24 surplus in the fund for general township purposes on
25 December 31 of the calendar year in which the consolidation

1 occurs, then any portion of the surplus that is solely
2 attributable to the consolidation shall be refunded to the
3 owners of record of taxable property within the
4 consolidated district on a pro rata basis; and

5 (3) road districts located within the separate
6 townships are abolished.

7 (b) When a new township is created, a new road district
8 encompassing the consolidated township is created. All the
9 rights, powers, duties, assets, property, liabilities,
10 obligations, and responsibilities of the separate road
11 districts shall vest in and be assumed by the new road
12 district. The new township board of trustees shall exercise the
13 taxing authority of a road district abolished under this
14 Section. The highway commissioners of the abolished road
15 districts shall cease to hold office on the date the road
16 district is abolished. The new township board shall exercise
17 all duties and responsibilities of the highway commissioner as
18 provided in the Illinois Highway Code. For purposes of
19 distribution of revenue, the new township shall assume the
20 powers, duties, and obligations of the road district of the
21 dissolving road district. The new township board may enter into
22 a contract with the county, a municipality, or a private
23 contractor to administer the roads under the new road district.

24 (c) When a township consolidates into an existing township,
25 all the rights, powers, duties, assets, property, liabilities,
26 obligations, and responsibilities of the abolished road

1 districts shall vest in and be assumed by the existing
2 township's road district. The consolidated township board of
3 trustees shall exercise the taxing authority of a road district
4 abolished under this Section. Highway commissioners of the
5 abolished road districts shall cease to hold office on the date
6 the road district is abolished. The consolidated township shall
7 exercise all duties and responsibilities of the highway
8 commissioner as provided in the Illinois Highway Code. For
9 purposes of distribution of revenue, the existing township's
10 road district or districts shall assume the powers, duties, and
11 obligations of the road district of the dissolving road
12 district.

13 (60 ILCS 1/Art. 23 heading new)

14 ARTICLE 23. MERGER OF A SINGLE
15 TOWNSHIP INTO 2 OTHER TOWNSHIPS

16 (60 ILCS 1/23-5 new)

17 Sec. 23-5. Definitions. As used in this Article:

18 "Dissolving road district" means a road district in a
19 dissolving township, which is dissolved under subsection (c) of
20 Section 23-25.

21 "Dissolving township" means a township which is proposed to
22 be dissolved into and be merged with 2 other adjacent
23 townships.

24 "Equalized assessed value" has the meaning provided in

1 Section 18-213 of the Property Tax Code.

2 "Debt" means indebtedness incurred by a dissolving
3 township including, but not limited to, mortgages, judgments,
4 and moneys due through the issuance and sale of bonds, or
5 through an equivalent manner of borrowing for which notes or
6 other evidences of indebtedness are issued fixing the amount of
7 principal and interest from time to time payable to retire the
8 indebtedness.

9 "Receiving township" means a township into which a portion
10 of the dissolving township will be merged.

11 (60 ILCS 1/23-10 new)

12 Sec. 23-10. Resolution for merger; notice.

13 (a) Notwithstanding any other provision of law to the
14 contrary, the township boards of any 3 adjacent townships may,
15 by identical resolutions of each board, propose that a township
16 which borders the other 2 townships be dissolved by referendum
17 and all rights, powers, duties, assets, and property, together
18 with all personnel, contractual obligations, other
19 obligations, responsibilities, and liabilities of the
20 dissolving township transferred to the receiving townships.
21 Each resolution shall include, but is not limited to, the
22 following:

23 (1) a legal description of the former territory of the
24 dissolving township each receiving township will take upon
25 the dissolution of the dissolving township;

1 (2) a description of how all assets and property,
2 together with all personnel, contractual obligations,
3 other obligations, responsibilities, and liabilities of
4 the dissolving township will be transferred to the
5 receiving townships;

6 (3) the tax rates for general township purposes for the
7 immediately preceding levy year, as extended and collected
8 in the year in which the resolution is adopted, for the
9 dissolving township and each receiving township;

10 (4) a description and amount of all debt each receiving
11 township shall assume after the dissolving township
12 dissolves. The debt shall be assumed by each receiving
13 township in equal proportion to the equalized assessed
14 value of the land and property that will be received by
15 each receiving township from the dissolving township
16 unless otherwise agreed to in the resolutions;

17 (5) a description of how each road district or road
18 districts of a dissolving township shall comply with
19 subsection (c) of Section 23-25; and

20 (6) the date of the general election at which the
21 referendum shall be held.

22 All resolutions shall be passed not less than 79 days
23 before the general election stated in the resolutions.

24 (b) Before passing a resolution under this Section, each
25 township board shall hold a public hearing on those matters
26 after notice of the hearing has been published on the main page

1 of the townships' websites, if any, and in a newspaper having a
2 general circulation in the townships affected. The notice shall
3 be published at least 30 days before the date of the hearing.
4 The notice shall contain, at a minimum, the name of the
5 dissolving township and receiving townships and a description
6 of the area each receiving township will receive from the
7 dissolving township.

8 (60 ILCS 1/23-15 new)

9 Sec. 23-15. Referendum and notices.

10 (a) Upon the adoption of resolutions under Section 23-10 by
11 all townships or the submission of petitions meeting the
12 requirements of Section 23-17, the township boards shall
13 certify the question to the proper election authority, or the
14 circuit court for the county in which each township is located
15 shall certify the question to the proper election authority for
16 submission of petitions meeting the requirements of Section
17 23-17, and the authority shall cause to be submitted to the
18 voters of all townships at the general election specified in
19 the resolutions or petitions a referendum to consolidate the
20 townships. The referendum shall be substantially in the
21 following form:

22 Shall (name of dissolving township) be dissolved into
23 (names of receiving townships)?

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

25 A referendum initiated upon the adoption of resolutions

1 under Section 23-10 is approved when a majority of the voters,
2 in each of the affected townships, approve the referendum. A
3 referendum initiated by petitions meeting the requirements of
4 Section 23-17 is approved when 60% of the voters, in each of
5 the affected townships, approve the referendum.

6 (b) Before a referendum appears on the ballot under
7 subsection (a), the township boards shall publish a copy of the
8 adopted resolution on the main page of the townships' websites,
9 if any, and in a newspaper having a general circulation in each
10 of the townships affected. The notice shall be published at
11 least 30 days before the date of the general election.

12 Each township board shall additionally mail a copy of the
13 adopted resolution, along with a copy of the referendum
14 language and a list of all taxes levied for general township
15 purposes in the affected townships, to every registered voter
16 in each township affected. The notice shall be mailed at least
17 30 days before the date of the general election in which the
18 referendum will appear.

19 (c) Notwithstanding any provision of law to the contrary,
20 no tax rate may be extended for any fund of the consolidated
21 district for the first levy year of the consolidated district
22 that exceeds any statutory maximum set forth for that fund,
23 unless the referendum also conforms to the requirements of the
24 Property Tax Extension Limitation Law or other statutory
25 provision setting forth that limitation.

1 (60 ILCS 1/23-17 new)

2 Sec. 23-17. Voter-initiated township consolidation.

3 (a) In the counties of Cass, Henderson, and Cumberland, a
4 referendum to propose township consolidation under this
5 Article may also be initiated by petitions meeting the
6 requirements of subsection (b).

7 (b) Subject to the petition requirements of the Election
8 Code, petitions for a referendum to consolidate under this
9 Section must be filed with the circuit court for the county in
10 which the affected townships are located not less than 122 days
11 prior to the election at which the referendum will be voted. A
12 petition must be filed for each consolidating township and
13 shall be signed by not less than 10% of the total number of
14 electors voting at the last general election in each township.
15 All signatures gathered must be signed within 365 days prior to
16 the filing of the petitions.

17 (c) Upon filing the petitions with the circuit court, the
18 parties so filing shall publish notice in a newspaper of
19 general circulation within the territory of the townships
20 affected. Failure to publish the required notice of petitions
21 shall render the petition, and the results of any referendum
22 held on the petition, null and void.

23 (d) Upon the submission of petitions requesting township
24 consolidation under this Section, the clerk of the circuit
25 court shall submit copies of all the petitions to the governing
26 board of each affected township. The clerk of the circuit court

1 shall then certify the question to the proper election
2 authorities in accordance with the Election Code.

3 (e) After certification of the question, each township
4 board shall hold a public hearing on the matter of
5 consolidation after notice of the hearing has been published on
6 the main page of the townships' websites, if any, and in a
7 newspaper having a general circulation in the townships
8 affected. The notice shall be published at least 30 days before
9 the date of the hearing. The notice shall contain, at a
10 minimum, the name of all townships that will be consolidating
11 and a description of the area of consolidation.

12 (f) A referendum under this Section may be held no earlier
13 than the general election in the year 2020.

14 (60 ILCS 1/23-20 new)

15 Sec. 23-20. Transition.

16 (a) Notwithstanding any other provision of law to the
17 contrary, upon the approval of a referendum under Section
18 23-15:

19 (1) there shall be no further nominations or elections
20 for clerks, assessors, collectors, highway commissioners,
21 supervisors, or trustees of the dissolving township or
22 highway commissions and the terms of all such officers
23 currently serving shall continue until the third Monday of
24 May of the year in which township officials are elected
25 following the approval of a referendum under Section 23-15;

1 (2) a Transition Township Board is formed for each
2 receiving township. Each Transition Township Board shall
3 be composed of the members of the dissolving township
4 boards plus the members of the receiving township board.
5 The Transition Township Board shall only have authority to
6 do the following under paragraphs (3) and (4) of this
7 Section: provide for the compensation for all receiving
8 township officials that will be elected at the consolidated
9 election next following the approval of a referendum under
10 Section 23-15; and approving additional debt to be taken on
11 by the dissolving township;

12 (3) each Transition Township Board shall hold a public
13 meeting no later than the first Tuesday in April before the
14 receiving townships' boards of trustees are elected at the
15 consolidated election next following the approval of a
16 referendum under Section 23-15. At this public meeting, the
17 Transition Township Board shall provide for the
18 compensation for all township officials that will be
19 elected at the consolidated election. If the Board cannot
20 agree on the compensation for an official, then the
21 compensation for the same office between the receiving and
22 dissolving townships shall be the lower compensation for
23 the office in the dissolving township or receiving
24 township;

25 (4) the dissolving township shall not incur any
26 additional debt without the approval of the Transition

1 Township Board of each receiving township that would assume
2 such debt after dissolution of the dissolving township; and

3 (5) Section 3-7 of the Election Code shall govern those
4 individuals entitled to caucus, vote for, be nominated for,
5 and run for offices for the receiving townships at the
6 consolidated election of township officials next following
7 the approval of a referendum under Section 23-15.

8 (b) Upon the approval of a referendum under Section 23-15,
9 the receiving townships may enter into an intergovernmental
10 agreement under the Intergovernmental Cooperation Act for any
11 lawful purpose relating to the land or property contained in
12 the dissolving township after the township is dissolved.

13 (60 ILCS 1/23-25 new)

14 Sec. 23-25. Merged township. On the third Monday of May of
15 the year in which township officials are elected following the
16 approval of a referendum under Section 23-15, the following
17 shall occur:

18 (a) The dissolving township ceases.

19 (b) All rights, powers, duties, assets, and property,
20 together with all personnel, contractual obligations,
21 other obligations, responsibilities, and liabilities of
22 the dissolving township are transferred to the receiving
23 townships as provided in the resolution adopted under
24 Section 23-10. The rights include, but are not limited to,
25 the authority to continue to collect and receive any tax

1 levied prior to the creation of the merged townships
2 without an additional ordinance, resolution, or
3 referendum.

4 (c) Road districts located within the dissolving
5 township are abolished and all the rights, powers, duties,
6 assets, property, liabilities, obligations, and
7 responsibilities of the dissolving road districts shall
8 vest in and be assumed by the receiving townships' road
9 districts as provided for in the resolutions adopted under
10 Section 23-10; the boards of trustees of the receiving
11 townships shall exercise the taxing authority of a road
12 district dissolved under this Section and shall exercise
13 all duties and responsibilities of the highway
14 commissioner as provided in the Illinois Highway Code
15 unless a road district in the receiving township has a
16 highway commissioner who shall assume all duties and
17 responsibilities of the highway commissioner of the
18 dissolving road districts if so resolved by the receiving
19 township board; highway commissioners of the dissolving
20 road districts shall cease to hold office on the date the
21 road district is abolished; and for purposes of
22 distribution of revenue, the receiving townships' road
23 districts, or the township board if no road districts
24 exist, shall assume the powers, duties, and obligations of
25 the dissolving road district.

1 (60 ILCS 1/25-15)

2 Sec. 25-15. Selection of county governing body; election
3 ~~Election of county commissioners.~~ When township organization
4 ceases in any county as provided in this Article, the county
5 board may by ordinance or resolution restructure into a
6 commission form of government on or before 180 days after a
7 township organization ceases. If the county board votes to
8 assume a commission form of government, an election shall be
9 held in the county at the next general election in an
10 even-numbered year for 3 county commissioners who shall hold
11 office for 2, 4, and 6 years, respectively, and until their
12 successors are elected and qualified. Terms shall be determined
13 by lot. At each succeeding general election after the first,
14 one commissioner shall be elected.

15 (Source: P.A. 82-783; 88-62.)

16 (60 ILCS 1/25-25)

17 Sec. 25-25. Disposal of township records and property. When
18 township organization is discontinued in any county, the
19 records of the several townships shall be deposited in the
20 county clerk's office. The county board or board of county
21 commissioners of the county may close up all unfinished
22 business of the several townships and sell ~~or~~ ~~and~~ dispose of
23 any of the property belonging to a township for the benefit of
24 the inhabitants of the township, as fully as might have been
25 done by the townships themselves. The county board or board of

1 county commissioners may pay all the indebtedness of any
2 township existing at the time of the discontinuance of township
3 organization and cause the amount of the indebtedness, or so
4 much as may be necessary, to be levied upon the property of the
5 township.

6 (Source: P.A. 82-783; 88-62.)

7 (60 ILCS 1/Art. 29 heading new)

8 ARTICLE 29. DISCONTINUANCE OF
9 TOWNSHIP WITHIN COTERMINOUS
10 MUNICIPALITY: ALL TOWNSHIPS

11 (60 ILCS 1/29-5 new)

12 Sec. 29-5. Resolutions to discontinue and abolish a
13 township. The township board and the corporate authorities of a
14 coterminous, or substantially coterminous, municipality may by
15 resolutions of the board and corporate authorities, and after
16 referendum of the voters of the township and municipality: (1)
17 discontinue and abolish the township; (2) transfer all the
18 rights, powers, duties, assets, property, liabilities,
19 obligations, and responsibilities of the township to the
20 municipality; and (3) cease and dissolve all township road
21 districts with the district's jurisdiction and authority
22 transferred to the municipality upon the dissolution of the
23 township.

1 (60 ILCS 1/29-10 new)

2 Sec. 29-10. Notice.

3 (a) Before passing resolutions under Section 29-5, the
4 township board and the corporate authorities of the
5 municipality shall hold public hearings on those matters after
6 notice of the hearing has been published on the main page of
7 the respective entities' websites, if any, and in a newspaper
8 having general circulation in the township and municipality.
9 The notice shall be published at least 30 days before the date
10 of the hearing.

11 (b) Before a referendum is placed on the ballot under
12 Section 29-15, each township board shall publish a copy of the
13 resolution adopted under Section 29-5 on the main page of the
14 respective entities' websites, if any, and in a newspaper of
15 general circulation in the township and municipality affected.
16 The notice shall be published at least 30 days before the date
17 of the general election in which the referendum will appear.

18 Each township board shall additionally mail a copy of the
19 adopted resolution, along with a copy of the referendum
20 language, the date the referendum will appear, and a list of
21 all taxes levied in the affected townships, to every registered
22 voter in each township affected. The notice shall be mailed at
23 least 30 days before the date of the election in which the
24 referendum will appear.

25 (60 ILCS 1/29-15 new)

1 Sec. 29-15. Referendum for cessation of township. Upon the
2 adoption of resolutions under Section 29-5 by both the township
3 and municipality, the township board and corporate authorities
4 of the municipality shall certify the question to the election
5 authority and the authority shall cause to be submitted to the
6 voters of the township and municipality at the next election a
7 referendum to discontinue the township and to transfer all the
8 rights, powers, duties, assets, property, liabilities,
9 obligations, and responsibilities of the township to the
10 municipality. The referendum shall be substantially in the
11 following form:

12 Shall the Township of (name of township) cease?

13 The votes shall be recorded as "Yes" or "No". The
14 referendum is approved when a majority of the voters, in both
15 the township and municipality, approve the referendum.

16 If the referendum is approved, there shall be no further
17 nominations or elections for clerks, assessors, collectors,
18 highway commissioners, supervisors, or trustees of the
19 township or highway commission, and the terms of all such
20 officers currently serving shall continue until the third
21 Monday of May of the year of the consolidated election in which
22 township officials are elected next following the approval of a
23 referendum under this Section.

24 (60 ILCS 1/29-20 new)

25 Sec. 29-20. Cessation of township. On the third Monday in

1 May in the year of the consolidated election in which township
2 officials are elected next following the approval of a
3 referendum under Section 29-15:

4 (1) the township is discontinued and abolished and all
5 the rights, powers, duties, assets, property, liabilities,
6 obligations, and responsibilities of the township shall
7 vest in and be assumed by the municipality, including the
8 authority to levy property taxes for township purposes in
9 the same manner as the dissolved township without an
10 additional ordinance, resolution, or referendum;

11 (2) all township officers shall cease to hold office;

12 (3) the municipality shall exercise all duties and
13 responsibilities of the township officers as provided in
14 the Township Code, the Illinois Public Aid Code, the
15 Property Tax Code, and the Illinois Highway Code, as
16 applicable. The municipality may enter into an
17 intergovernmental agreement with the county or the State to
18 administer the duties and responsibilities of the township
19 officers for services under its jurisdiction; and

20 (4) any road district located within the township is
21 abolished and its jurisdiction, rights, powers, duties,
22 assets, property, liabilities, obligations, and
23 responsibilities shall vest in and be assumed by the
24 municipality and the highway commissioner of the abolished
25 road district shall cease to hold office. The corporate
26 authorities of the municipality shall: exercise the taxing

1 authority of a road district abolished under this Section;
2 exercise all duties and responsibilities of the highway
3 commissioner as provided in the Illinois Highway Code; and
4 for purposes of distribution of revenue, assume the powers,
5 duties, and obligations of the road district in the
6 discontinued township. The corporate authorities of a
7 municipality may enter into an intergovernmental agreement
8 or a contract with the county, another municipality, or a
9 private contractor to administer the roads which were under
10 the jurisdiction of the abolished road district.

11 (60 ILCS 1/29-25 new)

12 Sec. 29-25. Business, records, and property of
13 discontinued township. The records of a township discontinued
14 under this Article shall be deposited in the municipality's
15 city clerk's office. The municipality may close up all
16 unfinished business of the township and sell and dispose of any
17 of the property belonging to the township for benefit of the
18 inhabitants of the municipality.

19 (60 ILCS 1/65-20)

20 Sec. 65-20. Road district treasurer; new township;
21 multi-township officers.

22 (a) Compensation of township officers shall be set by the
23 township board at least 180 days before the beginning of the
24 terms of officers, including compensation of the road district

1 treasurer, which shall be not less than \$100 or more than
2 \$1,000 per year. Compensation of a township assessor and
3 collector shall be set at the same time as the compensation of
4 the township supervisor. Compensation of a multi-township
5 assessor shall be set at least 150 days before his or her
6 election.

7 (b) The compensation to be paid to each officer in a new
8 township established under Section 10-25 shall be determined
9 under this Section by the township board of the township the
10 whole or a part of which comprises the new township and that
11 has the highest equalized assessed valuation (as of December
12 31, 1972) of the old townships that comprise the new township.

13 (c) At least 150 days before the election of multi-township
14 officers, the multi-township board may establish additional
15 pay of those board members for their services in an amount not
16 to exceed \$25 per day for each day of services.

17 (d) For the first term of a township consolidated or merged
18 under Article 22 or 23, compensation for township officers of
19 the consolidated or merged township shall be set by the
20 Transition Township Board no later than the first day in April
21 before the consolidated election at which the township officers
22 are to be elected.

23 (Source: P.A. 90-210, eff. 7-25-97.)

24 Section 20. The Home Equity Assurance Act is amended by
25 changing Sections 4 and 5 and by adding Section 21 as follows:

1 (65 ILCS 95/4) (from Ch. 24, par. 1604)

2 Sec. 4. Creation of Commission.

3 (a) Whenever in a municipality with more than 1,000,000
4 inhabitants, the question of creating a home equity program
5 within a contiguous territory included entirely within the
6 municipality is initiated by resolution or ordinance of the
7 corporate authorities of the municipality or by a petition
8 signed by not less than 10% of the total number of registered
9 voters of each precinct in the territory, the registered voters
10 of which are eligible to sign the petition, it shall be the
11 duty of the election authority having jurisdiction over such
12 municipality to submit the question of creating a home equity
13 program to the electors of each precinct within the territory
14 at the regular election specified in the resolution, ordinance
15 or petition initiating the question. If the question is
16 initiated by petition and if the requisite number of signatures
17 is not obtained in any precinct included within the territory
18 described in the petition, then the petition shall be valid as
19 to the territory encompassed by those precincts for which the
20 requisite number of signatures is obtained and any such
21 precinct for which the requisite number of signatures is not
22 obtained shall be excluded from the territory. A petition
23 initiating a question described in this Section shall be filed
24 with the election authority having jurisdiction over the
25 municipality. The petition shall be filed and objections

1 thereto shall be made in the manner provided in the general
2 election law. A resolution, ordinance, or petition initiating a
3 question described in this Section shall specify the election
4 at which the question is to be submitted. The referendum on
5 such question shall be held in accordance with general election
6 law. Such question, and the resolution, ordinance, or petition
7 initiating the question, shall include a description of the
8 territory, the name of the proposed home equity program, and
9 the maximum rate at which the home equity program shall be able
10 to levy a property tax. All of that area within the geographic
11 boundaries of the territory described in such question shall be
12 included in the program, and no area outside the geographic
13 boundaries of the territory described in such question shall be
14 included in the program. If the election authority determines
15 that the description cannot be included within the space
16 limitations of the ballot, the election authority shall prepare
17 large printed copies of a notice of the question, which shall
18 be prominently displayed in the polling place of each precinct
19 in which the question is to be submitted.

20 (b) Whenever a majority of the voters on such public
21 question approve the creation of a home equity program as
22 certified by the proper election authorities, the mayor of the
23 municipality shall appoint, with the consent of the corporate
24 authorities, 9 individuals, to be known as commissioners, to
25 serve as the governing body of the home equity program. The
26 mayor shall choose 7 of the 9 individuals to be appointed to

1 the governing commission from nominees submitted by a community
2 organization or community organizations as defined in this Act.
3 A community organization may recommend up to 20 individuals to
4 serve on a governing commission. Beginning after the effective
5 date of this amendatory Act of the 100th General Assembly, a
6 home equity commission shall consist of 7 commissioners;
7 however, the 9 commissioners serving on a governing commission
8 on the effective date of this amendatory Act of the 100th
9 General Assembly shall be allowed to finish their current terms
10 of service. Thereafter, the number of commissioners shall be
11 reduced to 7.

12 No fewer than 5 commissioners serving at any one time shall
13 reside within the territory of the program. Beginning after the
14 effective date of this amendatory Act of the 100th General
15 Assembly, and upon the number of commissioners being reduced to
16 7, no fewer than 4 commissioners serving at any one time shall
17 reside within the territory of the program.

18 Upon the initial appointment of 7 commissioners to creation
19 of a governing commission under the provisions of this
20 amendatory Act of the 100th General Assembly, the terms of the
21 initial commissioners shall be as follows: one ~~3~~ shall serve
22 for one year, 3 shall serve for 2 years, and 3 shall serve for 3
23 years and until a successor is appointed and qualified. All
24 succeeding terms shall be for 3 years, or until a successor is
25 appointed or qualified. Commissioners shall serve without
26 compensation except for reimbursement for reasonable expenses

1 incurred in the performance of duties as a commissioner. A
2 vacancy in the office of a member of a commission shall be
3 filled in like manner as an original appointment.

4 All proceedings and meetings of the governing commission
5 shall be conducted in accordance with the provisions of the
6 Open Meetings Act, as now or hereafter amended.

7 (Source: P.A. 93-709, eff. 7-9-04.)

8 (65 ILCS 95/5) (from Ch. 24, par. 1605)

9 Sec. 5. Duties and Functions of Commission. The duties and
10 functions of the governing commission of a Home Equity Program
11 shall include the following:

12 (a) To conduct or supervise the day-to-day operation of the
13 program, including but not limited to the administration of
14 homeowner applications for participation in the program and
15 homeowner claims against the guarantee fund.

16 (b) To establish policies, rules, regulations, bylaws, and
17 procedures for both the governing commission and the program.
18 No policies, rules, regulations, or bylaws shall be adopted by
19 the governing commission without prior notice to the residents
20 of the territory of a program and an opportunity for such
21 residents to be heard.

22 (c) To provide annual status reports on the program to the
23 mayor and corporate authorities of the municipality.

24 (d) To establish guaranteed value standards which are
25 directly linked to the program appraisal, to approve guarantee

1 values, to establish requirements for program appraisers
2 consistent with subsection (p) of Section 3. In no event shall
3 the program guidelines adopted by the governing commission
4 provide for selecting appraisers based on criteria other than
5 the quality and timeliness of the appraisals provided to the
6 governing commission.

7 (e) To manage, administer, and invest the guarantee fund.

8 (f) To liquidate acquired assets to maintain the guarantee
9 fund.

10 (g) To participate in arbitration required under the
11 program and to subpoena all necessary persons, parties, or
12 documents required to proceed with such arbitration.

13 (h) To employ necessary personnel, acquire necessary
14 office space, enter into contractual relationships and
15 disburse funds in accordance with the provisions of this Act. A
16 governing commission may employ full-time or part-time
17 employees.

18 (i) To perform such other functions in connection with the
19 program and the guarantee fund as required under this Act.

20 (Source: P.A. 85-1044.)

21 (65 ILCS 95/21 new)

22 Sec. 21. Tax Reimbursement Program. A governing
23 commission, with no less than \$4,000,000 unencumbered funds in
24 its guarantee fund, may, if authorized by resolution of the
25 governing commission upon approval by two-thirds of the

1 commissioners, establish a Tax Reimbursement Program to make
2 reimbursements to each applicable taxpayer for an amount of no
3 more than the total of their pro rata share of the annual levy
4 imposed by the commission. Prior to authorizing a reimbursement
5 program, an independent licensed public accountant not
6 connected with the commission or any entity conducting business
7 with the commission shall audit the commission and the proposal
8 for the program. The commission may create a program if the
9 independent licensed public accountant determines that such a
10 program will not reduce the balance of the guarantee fund to
11 less than \$3,000,000. For the purposes of this Section,
12 "applicable taxpayer" means the owner of record that paid the
13 tax levied on property in accordance with Section 11 of this
14 Act.

15 Section 25. The Street Light District Act is amended by
16 changing Section 11 as follows:

17 (70 ILCS 3305/11)

18 Sec. 11. 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, or consolidate the district into the
3 township in which the district sits if the entire district is
4 located within the district, and if the governing authorities
5 of the governmental unit assuming the functions of the former
6 district agree by resolution to accept the functions (and
7 jurisdiction over the territory, if applicable) of the
8 consolidated or annexed district, then the district shall
9 cease. On the effective date of the annexation or
10 consolidation, all the rights, powers, duties, assets,
11 property, liabilities, indebtedness, obligations, bonding
12 authority, taxing authority, and responsibilities of the
13 district shall vest in and be assumed by the governmental unit
14 assuming the functions of the former 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 (Source: P.A. 98-1002, eff. 8-18-14.)

1 Section 30. The Illinois Highway Code is amended by
2 changing Sections 6-130 and 6-133 and by adding Sections 6-134
3 and 6-136 as follows:

4 (605 ILCS 5/6-130) (from Ch. 121, par. 6-130)

5 Sec. 6-130. Road district abolishment. Notwithstanding any
6 other provision of this Code Act to the contrary, no township
7 road district may continue in existence if the roads forming a
8 part of the district do not exceed a total of 4 miles in length
9 as determined by the county engineer or county superintendent
10 of highways. ~~For purposes of this Section, the roads forming a~~
11 ~~part of a township road district include those roads maintained~~
12 ~~by the district, regardless of whether or not those roads are~~
13 ~~owned by the township.~~ On the first Tuesday in April of 1975,
14 or of any subsequent year next succeeding the reduction of a
15 township road system to a total mileage of 4 miles or less,
16 each such township road district shall, by operation of law, be
17 abolished. The roads comprising that district at that time
18 shall thereafter be administered by the township board of
19 trustees by contracting with the county, a municipality or a
20 private contractor. The township board of trustees shall assume
21 all taxing authority of a township road district abolished
22 under this Section.

23 (Source: P.A. 94-884, eff. 6-20-06.)

24 (605 ILCS 5/6-133)

1 Sec. 6-133. Abolishing a road district in Cook County. By
 2 resolution, the board of trustees of any township located in
 3 Cook County, Illinois, may submit a proposition to abolish the
 4 road district of that township to the electors of that township
 5 at a general election or consolidated election in accordance
 6 with the general election law. The ballot shall be in
 7 substantially the following form:

8 -----
 9 Shall the Road District of the Township of
 10 be abolished with all the rights,
 11 powers, duties, assets, property, liabilities, YES
 12 obligations, and responsibilities being assumed -----
 13 by the Township of ? NO
 14 -----

15 In the event that a majority of the electors voting on such
 16 proposition are in favor thereof, then the road district shall
 17 be abolished by operation of law effective on January 1 of the
 18 calendar year immediately following the calendar year in which
 19 the proposition was approved by the electors or on the date the
 20 term of the highway commissioner in office at the time the
 21 proposition was approved by the electors expires, whichever is
 22 later.

23 On that date, all the rights, powers, duties, assets,
 24 property, liabilities, obligations, and responsibilities of

1 the road district shall by operation of law vest in and be
2 assumed by the township. On that date, the township board of
3 trustees shall assume all taxing authority of a road district
4 abolished under this Section. On that date, any highway
5 commissioner of the abolished road district shall cease to hold
6 office, such term having been terminated. Thereafter, the
7 township shall exercise all duties and responsibilities of the
8 highway commissioner as provided in the Illinois Highway Code.
9 The township board of trustees may enter into a contract with
10 the county, a municipality, or a private contractor to
11 administer the roads under its jurisdiction. The township board
12 of trustees shall assume all taxing authority of a township
13 road district abolished under this subsection. For purposes of
14 distribution of revenue, the township shall assume the powers,
15 duties, and obligations of the road district.

16 (Source: P.A. 97-611, eff. 1-1-12.)

17 (605 ILCS 5/6-134 new)

18 Sec. 6-134. Abolishing a road district. By resolution of
19 the board of trustees of any township located in a county with
20 less than 3,000,000 inhabitants or by the submission of a
21 petition meeting the requirements of Section 6-136 by electors
22 of any township located in a county with less than 3,000,000
23 inhabitants, a proposition to abolish the road district of that
24 township may be submitted to the electors of that township, by
25 the board of trustees if by resolution or by the circuit court

1 if by petition, at a general election or consolidated election
2 in accordance with the general election law. The ballot shall
3 be in substantially the following form:

4 -----
5 Shall the Road District of the Township of
6 be abolished with all the rights,
7 powers, duties, assets, property, liabilities, YES
8 obligations, and responsibilities being assumed -----
9 by the Township of ? NO
10 -----

11 In the event that a majority of the electors voting on such
12 proposition initiated by a majority of the township board of
13 trustees are in favor thereof, then the road district shall be
14 abolished on the January 1 following the approval of the
15 referendum or on the date the term of the highway commissioner
16 in office at the time the proposition was approved by the
17 electors expires, whichever is later. If 60% of the electors
18 voting on a referendum initiated by a petition meeting the
19 requirements of Section 6-136 are in favor of abolishing the
20 township road district, then the road district is abolished on
21 the January 1 following the approval of the referendum or on
22 the date the term of the highway commissioner in office at the
23 time the referendum was approved expires, whichever is later.

24 On that date, all the rights, powers, duties, assets,

1 property, liabilities, obligations, and responsibilities of
2 the road district shall by operation of law vest in and be
3 assumed by the township. On that date, the township board of
4 trustees shall assume all taxing authority of a road district
5 abolished under this Section. On that date, any highway
6 commissioner of the abolished road district shall cease to hold
7 office, such term having been terminated. Thereafter, the
8 township shall exercise all duties and responsibilities of the
9 highway commissioner as provided in the Illinois Highway Code.
10 The township board of trustees may enter into a contract with
11 the county, a municipality, or a private contractor to
12 administer the roads under its jurisdiction. The township board
13 of trustees shall assume all taxing authority of a township
14 road district abolished under this subsection. For purposes of
15 distribution of revenue, the township shall assume the powers,
16 duties, and obligations of the road district.

17 (605 ILCS 5/6-136 new)

18 Sec. 6-136. Voter-initiated road district consolidation.

19 (a) In the counties of Cass, Henderson, and Cumberland, a
20 referendum to propose road district consolidation under
21 Section 6-134 of this Code may also be initiated by a petition
22 meeting the requirements of subsection (b) of this Section.

23 (b) To initiate a referendum under this Section, a petition
24 must be filed with the circuit court for the county in which
25 the township road district is located. The petition shall be

1 signed by not less than 10% of the total number of electors
2 voting at the last general election in the affected township
3 road district.

4 (c) Upon the submission of a petition requesting township
5 road district consolidation under this Section, the clerk of
6 the circuit court shall submit copies of the petition to the
7 governing board of the township road district. The clerk of the
8 circuit court shall then certify the question to the proper
9 election authorities in accordance with the Election Code and
10 the question shall be submitted to the electors as provided in
11 Section 6-134.

12 (d) The governing board of the affected road district and
13 the governing board of the affected township must each hold a
14 public hearing on the issue of consolidation no more than 60
15 days prior to the general election at which the referendum
16 under this Section shall be voted upon.

17 (e) A referendum under this Section may be held no earlier
18 than the general election in the year 2020.