



Rep. Sam Yingling

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1 AMENDMENT TO HOUSE BILL 171

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 171, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

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

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

11 (10 ILCS 5/3-7 new)

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

13 (a) In the consolidated election where township trustees  
14 are elected next following the certification of a successful  
15 referendum to consolidate townships under Article 22 of the

1 Township Code, the qualified electors entitled to caucus, vote  
2 for, be nominated for, and run for offices in the consolidated  
3 township that is to be formed are those registered voters  
4 residing in any of the townships identified in the referendum  
5 as they exist prior to consolidation.

6 (b) In the consolidated election where township trustees  
7 are elected next following the certification of a successful  
8 referendum to dissolve a township and merge its territory into  
9 2 adjacent townships under Article 23 of the Township Code, the  
10 qualified electors entitled to caucus, vote for, be nominated  
11 for, and run for offices in a receiving township shall also  
12 include those registered voters residing in the territory of  
13 the dissolving township described in the resolutions adopted  
14 under Section 23-10 of the Township Code or petitions filed  
15 under Section 23-17 of the Township Code as the territory to be  
16 merged with the receiving township. For purposes of this  
17 subsection (b) only, "dissolving township" and "receiving  
18 township" have the meaning provided in Section 23-5 of the  
19 Township Code.

20 (10 ILCS 5/28-1) (from Ch. 46, par. 28-1)

21 Sec. 28-1. The initiation and submission of all public  
22 questions to be voted upon by the electors of the State or of  
23 any political subdivision or district or precinct or  
24 combination of precincts shall be subject to the provisions of  
25 this Article.

1 Questions of public policy which have any legal effect  
2 shall be submitted to referendum only as authorized by a  
3 statute which so provides or by the Constitution. Advisory  
4 questions of public policy shall be submitted to referendum  
5 pursuant to Section 28-5 or pursuant to a statute which so  
6 provides.

7 The method of initiating the submission of a public  
8 question shall be as provided by the statute authorizing such  
9 public question, or as provided by the Constitution.

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

14 Whenever a statute provides for the initiation of a public  
15 question by a petition of electors, the provisions of such  
16 statute shall govern with respect to the number of signatures  
17 required, the qualifications of persons entitled to sign the  
18 petition, the contents of the petition, the officer with whom  
19 the petition must be filed, and the form of the question to be  
20 submitted. If such statute does not specify any of the  
21 foregoing petition requirements, the corresponding petition  
22 requirements of Section 28-6 shall govern such petition.

23 Irrespective of the method of initiation, not more than 3  
24 public questions other than (a) back door referenda, (b)  
25 referenda to determine whether a disconnection may take place  
26 where a city coterminous with a township is proposing to annex

1 territory from an adjacent township, (c) referenda held under  
2 the provisions of the Property Tax Extension Limitation Law in  
3 the Property Tax Code, ~~or~~ (d) referenda held under Section  
4 2-3002 of the Counties Code, or (e) referenda held under  
5 Article 22, 23, or 29 of the Township Code may be submitted to  
6 referendum with respect to a political subdivision at the same  
7 election.

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

22 No public question shall be submitted to the voters of a  
23 political subdivision at any regularly scheduled election at  
24 which such voters are not scheduled to cast votes for any  
25 candidates for nomination for, election to or retention in  
26 public office, except that if, in any existing or proposed

1 political subdivision in which the submission of a public  
2 question at a regularly scheduled election is desired, the  
3 voters of only a portion of such existing or proposed political  
4 subdivision are not scheduled to cast votes for nomination for,  
5 election to or retention in public office at such election, but  
6 the voters in one or more other portions of such existing or  
7 proposed political subdivision are scheduled to cast votes for  
8 nomination for, election to or retention in public office at  
9 such election, the public question shall be voted upon by all  
10 the qualified voters of the entire existing or proposed  
11 political subdivision at the election.

12 Not more than 3 advisory public questions may be submitted  
13 to the voters of the entire state at a general election. If  
14 more than 3 such advisory propositions are initiated, the first  
15 3 timely and validly initiated shall be the questions printed  
16 on the ballot and submitted at that election; provided however,  
17 that a question for a proposed amendment to Article IV of the  
18 Constitution pursuant to Section 3, Article XIV of the  
19 Constitution, or for a question submitted under the Property  
20 Tax Cap Referendum Law, shall not be included in the foregoing  
21 limitation.

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

23 (10 ILCS 5/28-7) (from Ch. 46, par. 28-7)

24 Sec. 28-7. Except as provided in Sections 22-12 and 23-17  
25 of the Township Code, in ~~in~~ any case in which Article VII or

1 paragraph (a) of Section 5 of the Transition Schedule of the  
2 Constitution authorizes any action to be taken by or with  
3 respect to any unit of local government, as defined in Section  
4 1 of Article VII of the Constitution, by or subject to approval  
5 by referendum, any such public question shall be initiated in  
6 accordance with this Section.

7 Any such public question may be initiated by the governing  
8 body of the unit of local government by resolution or by the  
9 filing with the clerk or secretary of the governmental unit of  
10 a petition signed by a number of qualified electors equal to or  
11 greater than at least 8% of the total votes cast for candidates  
12 for Governor in the preceding gubernatorial election,  
13 requesting the submission of the proposal for such action to  
14 the voters of the governmental unit at a regular election.

15 If the action to be taken requires a referendum involving 2  
16 or more units of local government, the proposal shall be  
17 submitted to the voters of such governmental units by the  
18 election authorities with jurisdiction over the territory of  
19 the governmental units. Such multi-unit proposals may be  
20 initiated by appropriate resolutions by the respective  
21 governing bodies or by petitions of the voters of the several  
22 governmental units filed with the respective clerks or  
23 secretaries.

24 This Section is intended to provide a method of submission  
25 to referendum in all cases of proposals for actions which are  
26 authorized by Article VII of the Constitution by or subject to

1 approval by referendum and supersedes any conflicting  
2 statutory provisions except those contained in Section 22-12 of  
3 the Township Code, Section 23-17 of the Township Code, and  
4 Division 2-5 of the Counties Code ~~the "County Executive Act"~~.

5 Referenda provided for in this Section may not be held more  
6 than once in any 23-month period on the same proposition,  
7 provided that in any municipality a referendum to elect not to  
8 be a home rule unit may be held only once within any 47-month  
9 period.

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

11 Section 10. The Counties Code is amended by changing the  
12 heading of Division 2-4, by changing Sections 2-4006, 5-44010,  
13 5-44020, and by adding Section 5-44043 as follows:

14 (55 ILCS 5/Div. 2-4 heading)

15 Division 2-4. Counties not under

16 Township Organization

17 Organized as a Commission

18 Form of Government

19 (55 ILCS 5/2-4006)

20 Sec. 2-4006. Terms of commissioners.

21 (a) In every county not under township organization that is  
22 organized as a commission form of government having 3  
23 commissioners elected at large as described in subsection (b)

1 or (c), the commissioners shall be elected as provided in this  
2 Section.

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

12 (c) In a county in which 2 commissioners were elected at  
13 the general election in 1992 to serve for terms of 4 years and  
14 in which one commissioner will be elected at the general  
15 election in 1994, the commissioner elected in 1994 shall serve  
16 for a term of 4 years. The commissioner elected in 1996 and  
17 receiving the greatest number of votes shall serve for a term  
18 of 6 years. The other commissioner elected in 1996 shall serve  
19 for a term of 4 years. At the general election in 1998 and at  
20 each general election thereafter, one commissioner shall be  
21 elected to serve for a term of 6 years.

22 (c-5) In Calhoun County, Edwards County, and Union County,  
23 the registered voters of the county may, upon referendum  
24 initiated by (i) the adoption of a resolution of the board of  
25 county commissioners or (ii) a petition signed by not less than  
26 10% of the registered voters in the county, determine that the



1 board of county commissioners shall consist of 5 commissioners  
2 elected at large. The commissioners must certify the question  
3 to the proper election authority, which must submit the  
4 question at an election in accordance with the general election  
5 law.

6 The question shall be submitted in substantially the  
7 following form:

8 "Shall the board of county commissioners of (county)  
9 consist of 5 commissioners elected at large?"

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

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

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

24 (55 ILCS 5/5-44010)

25 Sec. 5-44010. Applicability. The powers and authorities

1 provided by this Division 5-44 apply to all counties ~~DuPage,~~  
2 ~~Lake, and McHenry Counties~~ and units of local government within  
3 such counties.

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

5 (55 ILCS 5/5-44020)

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

7 "Fire protection jurisdiction" means a fire protection  
8 district, municipal fire department, or service organized  
9 under Section 5-1056.1 of the Counties Code, Sections 195 and  
10 200 of the Township Code, Section 10-2.1 of the Illinois  
11 Municipal Code, or the Illinois Fire Protection District Act.

12 "Governing board" means the individual or individuals who  
13 constitute the corporate authorities of a unit of local  
14 government.

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

1 Persons with Developmental Disabilities Act.

2 (Source: P.A. 98-126, eff. 8-2-13; 98-756, eff. 7-16-14;  
3 99-709, eff. 8-5-16.)

4 (55 ILCS 5/5-44043 new)

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

6 (a) The status and rights of employees represented by an  
7 exclusive bargaining representative shall not be affected by  
8 the dissolution of a unit of local government under this  
9 Division, except that this subsection does not apply in DuPage,  
10 Lake, and McHenry Counties for actions taken before the  
11 effective date of this amendatory Act of the 100th General  
12 Assembly.

13 (b) Obligations of the dissolving unit of local government  
14 assumed by the trustee-in-dissolution, county, or governing  
15 body of a special service area include the obligation to honor  
16 representation rights under the Illinois Public Labor  
17 Relations Act and any collective bargaining agreements  
18 existing on the date of dissolution of the unit of local  
19 government.

20 (c) The rights of employees under any pensions, retirement  
21 plans, or annuity plans existing on the date of dissolution of  
22 the unit of local government are not affected by the  
23 dissolution of a unit of local government under this Division.

24 Section 15. The Township Code is amended by adding Articles

1 22, 23, and 29 and by changing Sections 10-25, 25-15, 25-25,  
2 and 65-20 as follows:

3 (60 ILCS 1/10-25)

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

5 (a) The county board of each county may, subject to a  
6 referendum in the townships affected as provided in this  
7 Section, adopt a plan for altering the boundaries of townships,  
8 changing township lines, dividing, enlarging, or consolidating  
9 townships, or creating new townships, so that each township  
10 shall possess an equalized assessed valuation of not less than  
11 \$10,000,000 as of the 1982 assessment year ~~or an area of not~~  
12 ~~more than 126 square miles.~~

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

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

2 (60 ILCS 1/Art. 22 heading new)

3 ARTICLE 22. CONSOLIDATION OF

4 MULTIPLE TOWNSHIPS

5 (60 ILCS 1/22-5 new)

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

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

13 (1) the name of the proposed new consolidated township  
14 or the name of the existing township into which all  
15 townships will be consolidated;

16 (2) a description of how each road district or road  
17 districts of a dissolving township shall comply with  
18 subsection (c) of Section 22-20 if a township will be  
19 consolidating into an existing township;

20 (3) the names of all townships that will be  
21 consolidating and a description of the area of  
22 consolidation; and

23 (4) the date of the general election at which the  
24 referendum shall be held.

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

6       (b) Before passing a resolution under subsection (a), each  
7 township board shall hold a public hearing on those matters  
8 after notice of the hearing has been published on the main page  
9 of the townships' websites, if any, and in a newspaper having a  
10 general circulation in the townships affected. The notice shall  
11 be published at least 30 days before the date of the hearing.  
12 The notice shall contain, at a minimum, the name of all  
13 townships that will be consolidating and a description of the  
14 area of consolidation.

15       (60 ILCS 1/22-10 new)

16       Sec. 22-10. Referendum.

17       (a) Upon the adoption of resolutions under Section 22-5 by  
18 each township or the submission of petitions meeting the  
19 requirements of Section 22-12, the township boards shall  
20 certify the question to the proper election authority, or the  
21 circuit court for the county in which each township is located  
22 shall certify the question to the proper election authority for  
23 submission of petitions meeting the requirements of Section  
24 22-12, and the authority shall cause to be submitted to the  
25 voters of each township at the general election specified in

1 the resolutions or petitions a referendum to consolidate the  
2 townships. The referendum shall be substantially in the  
3 following form:

4 Shall (names of townships) be consolidated into [a new  
5 township called (name of proposed consolidated  
6 township)/the township of (name of existing township)]?

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

8 A referendum initiated upon the adoption of resolutions  
9 under Section 22-5 is approved when a majority of the voters,  
10 in each of the affected townships, approve the referendum. A  
11 referendum initiated by petitions meeting the requirements of  
12 Section 22-12 is approved when 60% of the voters, in each of  
13 the affected townships, approve the referendum.

14 (b) Before a referendum appears on the ballot under  
15 subsection (a), each township board shall publish a copy of the  
16 adopted resolution on the main page of the townships' websites,  
17 if any, and in a newspaper having a general circulation in each  
18 of the townships affected. The notice shall be published at  
19 least 30 days before the date of the general election in which  
20 the referendum will appear.

21 Each township board shall additionally mail a copy of the  
22 adopted resolution, along with a copy of the referendum  
23 language and a list of all taxes levied for general township  
24 purposes in the affected townships, to every registered voter  
25 in each township affected. The notice shall be mailed at least  
26 30 days before the date of the general election in which the

1 referendum will appear.

2 (c) Notwithstanding any provision of law to the contrary,  
3 no tax rate may be extended for any fund of the consolidated  
4 district for the first levy year of the consolidated district  
5 that exceeds any statutory maximum set forth for that fund,  
6 unless the referendum also conforms to the requirements of the  
7 Property Tax Extension Limitation Law or other statutory  
8 provision setting forth that limitation.

9 (60 ILCS 1/22-12 new)

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

11 (a) In the counties of Cass, Henderson, and Cumberland, a  
12 referendum to propose township consolidation under this  
13 Article may also be initiated by petitions meeting the  
14 requirements of subsection (b).

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

25 (c) Upon filing the petitions with the circuit court, the



1 parties so filing shall publish notice in a newspaper of  
2 general circulation within the territory of the townships  
3 affected. Failure to publish the required notice of petitions  
4 shall render the petition, and the results of any referendum  
5 held on the petition, null and void.

6 (d) Upon the submission of petitions requesting township  
7 consolidation under this Section, the clerk of the circuit  
8 court shall submit copies of all the petitions to the governing  
9 board of each affected township. The clerk of the circuit court  
10 shall then certify the question to the proper election  
11 authorities in accordance with the Election Code.

12 (e) After certification of the question, each township  
13 board shall hold a public hearing on the matter of  
14 consolidation after notice of the hearing has been published on  
15 the main page of the townships' websites, if any, and in a  
16 newspaper having a general circulation in the townships  
17 affected. The notice shall be published at least 30 days before  
18 the date of the hearing. The notice shall contain, at a  
19 minimum, the name of all townships that will be consolidating  
20 and a description of the area of consolidation.

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

23 (60 ILCS 1/22-15 new)

24 Sec. 22-15. Transition. Notwithstanding any other  
25 provision of law to the contrary, upon the approval of a

1 referendum under Section 22-10:

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

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

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

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

5       (e) Section 3-7 of the Election Code shall govern those  
6 individuals entitled to caucus, vote for, be nominated for, and  
7 run for offices for the consolidated township at the  
8 consolidated election of township officials next following the  
9 approval of a referendum under Section 22-10.

10       (60 ILCS 1/22-20 new)

11       Sec. 22-20. Consolidated township.

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

15           (1) the separate townships cease and the consolidated  
16 township is created;

17           (2) all rights, powers, duties, assets, and property,  
18 together with all personnel, contractual obligations,  
19 other obligations, responsibilities, and liabilities of  
20 the separate townships are transferred to the consolidated  
21 township; those rights include, but are not limited to, the  
22 authority to continue to collect, receive, and expend the  
23 proceeds of any tax levied by any of the separate townships  
24 prior to the creation of the consolidated township without  
25 an additional ordinance, resolution, or referendum; the

1 proceeds of any tax levied by any of the separate townships  
2 prior to the creation of the consolidated township shall be  
3 expended or disposed of by the consolidated township in the  
4 same manner as such assessments might have been expended or  
5 disposed of by the separate townships; however, if the  
6 consolidated township board determines that there is a  
7 surplus in the fund for general township purposes on  
8 December 31 of the calendar year in which the consolidation  
9 occurs, then any portion of the surplus that is solely  
10 attributable to the consolidation shall be refunded to the  
11 owners of record of taxable property within the  
12 consolidated district on a pro rata basis; and

13 (3) road districts located within the separate  
14 townships are abolished.

15 (b) When a new township is created, a new road district  
16 encompassing the consolidated township is created. All the  
17 rights, powers, duties, assets, property, liabilities,  
18 obligations, and responsibilities of the separate road  
19 districts shall vest in and be assumed by the new road  
20 district. The new township board of trustees shall exercise the  
21 taxing authority of a road district abolished under this  
22 Section. The highway commissioners of the abolished road  
23 districts shall cease to hold office on the date the road  
24 district is abolished. The new township board shall exercise  
25 all duties and responsibilities of the highway commissioner as  
26 provided in the Illinois Highway Code. For purposes of

1 distribution of revenue, the new township shall assume the  
2 powers, duties, and obligations of the road district of the  
3 dissolving road district. The new township board may enter into  
4 a contract with the county, a municipality, or a private  
5 contractor to administer the roads under the new road district.

6 (c) When a township consolidates into an existing township,  
7 all the rights, powers, duties, assets, property, liabilities,  
8 obligations, and responsibilities of the abolished road  
9 districts shall vest in and be assumed by the existing  
10 township's road district. The consolidated township board of  
11 trustees shall exercise the taxing authority of a road district  
12 abolished under this Section. Highway commissioners of the  
13 abolished road districts shall cease to hold office on the date  
14 the road district is abolished. The consolidated township shall  
15 exercise all duties and responsibilities of the highway  
16 commissioner as provided in the Illinois Highway Code. For  
17 purposes of distribution of revenue, the existing township's  
18 road district or districts shall assume the powers, duties, and  
19 obligations of the road district of the dissolving road  
20 district.

21 (60 ILCS 1/Art. 23 heading new)

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

24 (60 ILCS 1/23-5 new)

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

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

5       "Dissolving township" means a township which is proposed to  
6 be dissolved into and be merged with 2 other adjacent  
7 townships.

8       "Equalized assessed value" has the meaning provided in  
9 Section 18-213 of the Property Tax Code.

10       "Debt" means indebtedness incurred by a dissolving  
11 township including, but not limited to, mortgages, judgments,  
12 and moneys due through the issuance and sale of bonds, or  
13 through an equivalent manner of borrowing for which notes or  
14 other evidences of indebtedness are issued fixing the amount of  
15 principal and interest from time to time payable to retire the  
16 indebtedness.

17       "Receiving township" means a township into which a portion  
18 of the dissolving township will be merged.

19       (60 ILCS 1/23-10 new)

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

21       (a) Notwithstanding any other provision of law to the  
22 contrary, the township boards of any 3 adjacent townships may,  
23 by identical resolutions of each board, propose that a township  
24 which borders the other 2 townships be dissolved by referendum  
25 and all rights, powers, duties, assets, and property, together

1 with all personnel, contractual obligations, other  
2 obligations, responsibilities, and liabilities of the  
3 dissolving township transferred to the receiving townships.  
4 Each resolution shall include, but is not limited to, the  
5 following:

6 (1) a legal description of the former territory of the  
7 dissolving township each receiving township will take upon  
8 the dissolution of the dissolving township;

9 (2) a description of how all assets and property,  
10 together with all personnel, contractual obligations,  
11 other obligations, responsibilities, and liabilities of  
12 the dissolving township will be transferred to the  
13 receiving townships;

14 (3) the tax rates for general township purposes for the  
15 immediately preceding levy year, as extended and collected  
16 in the year in which the resolution is adopted, for the  
17 dissolving township and each receiving township;

18 (4) a description and amount of all debt each receiving  
19 township shall assume after the dissolving township  
20 dissolves. The debt shall be assumed by each receiving  
21 township in equal proportion to the equalized assessed  
22 value of the land and property that will be received by  
23 each receiving township from the dissolving township  
24 unless otherwise agreed to in the resolutions;

25 (5) a description of how each road district or road  
26 districts of a dissolving township shall comply with

1 subsection (c) of Section 23-25; and

2 (6) the date of the general election at which the  
3 referendum shall be held.

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

6 (b) Before passing a resolution under this Section, each  
7 township board shall hold a public hearing on those matters  
8 after notice of the hearing has been published on the main page  
9 of the townships' websites, if any, and in a newspaper having a  
10 general circulation in the townships affected. The notice shall  
11 be published at least 30 days before the date of the hearing.  
12 The notice shall contain, at a minimum, the name of the  
13 dissolving township and receiving townships and a description  
14 of the area each receiving township will receive from the  
15 dissolving township.

16 (60 ILCS 1/23-15 new)

17 Sec. 23-15. Referendum and notices.

18 (a) Upon the adoption of resolutions under Section 23-10 by  
19 all townships or the submission of petitions meeting the  
20 requirements of Section 23-17, the township boards shall  
21 certify the question to the proper election authority, or the  
22 circuit court for the county in which each township is located  
23 shall certify the question to the proper election authority for  
24 submission of petitions meeting the requirements of Section  
25 23-17, and the authority shall cause to be submitted to the



1 voters of all townships at the general election specified in  
2 the resolutions or petitions a referendum to consolidate the  
3 townships. The referendum shall be substantially in the  
4 following form:

5 Shall (name of dissolving township) be dissolved into  
6 (names of receiving townships)?

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

8 A referendum initiated upon the adoption of resolutions  
9 under Section 23-10 is approved when a majority of the voters,  
10 in each of the affected townships, approve the referendum. A  
11 referendum initiated by petitions meeting the requirements of  
12 Section 23-17 is approved when 60% of the voters, in each of  
13 the affected townships, approve the referendum.

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

20 Each township board shall additionally mail a copy of the  
21 adopted resolution, along with a copy of the referendum  
22 language and a list of all taxes levied for general township  
23 purposes in the affected townships, to every registered voter  
24 in each township affected. The notice shall be mailed at least  
25 30 days before the date of the general election in which the  
26 referendum will appear.

1       (c) Notwithstanding any provision of law to the contrary,  
2 no tax rate may be extended for any fund of the consolidated  
3 district for the first levy year of the consolidated district  
4 that exceeds any statutory maximum set forth for that fund,  
5 unless the referendum also conforms to the requirements of the  
6 Property Tax Extension Limitation Law or other statutory  
7 provision setting forth that limitation.

8       (60 ILCS 1/23-17 new)

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

10       (a) In the counties of Cass, Henderson, and Cumberland, a  
11 referendum to propose township consolidation under this  
12 Article may also be initiated by petitions meeting the  
13 requirements of subsection (b).

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

24       (c) Upon filing the petitions with the circuit court, the  
25 parties so filing shall publish notice in a newspaper of

1 general circulation within the territory of the townships  
2 affected. Failure to publish the required notice of petitions  
3 shall render the petition, and the results of any referendum  
4 held on the petition, null and void.

5 (d) Upon the submission of petitions requesting township  
6 consolidation under this Section, the clerk of the circuit  
7 court shall submit copies of all the petitions to the governing  
8 board of each affected township. The clerk of the circuit court  
9 shall then certify the question to the proper election  
10 authorities in accordance with the Election Code.

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

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

22 (60 ILCS 1/23-20 new)

23 Sec. 23-20. Transition.

24 (a) Notwithstanding any other provision of law to the  
25 contrary, upon the approval of a referendum under Section

1     23-15:

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

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

20            (3) each Transition Township Board shall hold a public  
21            meeting no later than the first Tuesday in April before the  
22            receiving townships' boards of trustees are elected at the  
23            consolidated election next following the approval of a  
24            referendum under Section 23-15. At this public meeting, the  
25            Transition Township Board shall provide for the  
26            compensation for all township officials that will be

1 elected at the consolidated election. If the Board cannot  
2 agree on the compensation for an official, then the  
3 compensation for the same office between the receiving and  
4 dissolving townships shall be the lower compensation for  
5 the office in the dissolving township or receiving  
6 township;

7 (4) the dissolving township shall not incur any  
8 additional debt without the approval of the Transition  
9 Township Board of each receiving township that would assume  
10 such debt after dissolution of the dissolving township; and

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

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

21 (60 ILCS 1/23-25 new)

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

1           (a) The dissolving township ceases.

2           (b) All rights, powers, duties, assets, and property,  
3 together with all personnel, contractual obligations,  
4 other obligations, responsibilities, and liabilities of  
5 the dissolving township are transferred to the receiving  
6 townships as provided in the resolution adopted under  
7 Section 23-10. The rights include, but are not limited to,  
8 the authority to continue to collect and receive any tax  
9 levied prior to the creation of the merged townships  
10 without an additional ordinance, resolution, or  
11 referendum.

12           (c) Road districts located within the dissolving  
13 township are abolished and all the rights, powers, duties,  
14 assets, property, liabilities, obligations, and  
15 responsibilities of the dissolving road districts shall  
16 vest in and be assumed by the receiving townships' road  
17 districts as provided for in the resolutions adopted under  
18 Section 23-10; the boards of trustees of the receiving  
19 townships shall exercise the taxing authority of a road  
20 district dissolved under this Section and shall exercise  
21 all duties and responsibilities of the highway  
22 commissioner as provided in the Illinois Highway Code  
23 unless a road district in the receiving township has a  
24 highway commissioner who shall assume all duties and  
25 responsibilities of the highway commissioner of the  
26 dissolving road districts if so resolved by the receiving

1       township board; highway commissioners of the dissolving  
2       road districts shall cease to hold office on the date the  
3       road district is abolished; and for purposes of  
4       distribution of revenue, the receiving townships' road  
5       districts, or the township board if no road districts  
6       exist, shall assume the powers, duties, and obligations of  
7       the dissolving road district.

8           (60 ILCS 1/25-15)

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

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

23           (60 ILCS 1/25-25)

24       Sec. 25-25. Disposal of township records and property. When

1 township organization is discontinued in any county, the  
2 records of the several townships shall be deposited in the  
3 county clerk's office. The county board or board of county  
4 commissioners of the county may close up all unfinished  
5 business of the several townships and sell or ~~and~~ dispose of  
6 any of the property belonging to a township for the benefit of  
7 the inhabitants of the township, as fully as might have been  
8 done by the townships themselves. The county board or board of  
9 county commissioners may pay all the indebtedness of any  
10 township existing at the time of the discontinuance of township  
11 organization and cause the amount of the indebtedness, or so  
12 much as may be necessary, to be levied upon the property of the  
13 township.

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

15 (60 ILCS 1/Art. 29 heading new)

16 ARTICLE 29. DISCONTINUANCE OF  
17 TOWNSHIP WITHIN COTERMINOUS  
18 MUNICIPALITY: ALL TOWNSHIPS

19 (60 ILCS 1/29-5 new)

20 Sec. 29-5. Resolutions to discontinue and abolish a  
21 township. The township board and the corporate authorities of a  
22 coterminous, or substantially coterminous, municipality may by  
23 resolutions of the board and corporate authorities, and after  
24 referendum of the voters of the township and municipality: (1)



1 discontinue and abolish the township; (2) transfer all the  
2 rights, powers, duties, assets, property, liabilities,  
3 obligations, and responsibilities of the township to the  
4 municipality; and (3) cease and dissolve all township road  
5 districts with the district's jurisdiction and authority  
6 transferred to the municipality upon the dissolution of the  
7 township.

8 (60 ILCS 1/29-10 new)

9 Sec. 29-10. Notice.

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

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

25 Each township board shall additionally mail a copy of the

1 adopted resolution, along with a copy of the referendum  
2 language, the date the referendum will appear, and a list of  
3 all taxes levied in the affected townships, to every registered  
4 voter in each township affected. The notice shall be mailed at  
5 least 30 days before the date of the election in which the  
6 referendum will appear.

7 (60 ILCS 1/29-15 new)

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

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

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

23 If the referendum is approved, there shall be no further  
24 nominations or elections for clerks, assessors, collectors,  
25 highway commissioners, supervisors, or trustees of the

1 township or highway commission, and the terms of all such  
2 officers currently serving shall continue until the third  
3 Monday of May of the year of the consolidated election in which  
4 township officials are elected next following the approval of a  
5 referendum under this Section.

6 (60 ILCS 1/29-20 new)

7 Sec. 29-20. Cessation of township. On the third Monday in  
8 May in the year of the consolidated election in which township  
9 officials are elected next following the approval of a  
10 referendum under Section 29-15:

11 (1) the township is discontinued and abolished and all  
12 the rights, powers, duties, assets, property, liabilities,  
13 obligations, and responsibilities of the township shall  
14 vest in and be assumed by the municipality, including the  
15 authority to levy property taxes for township purposes in  
16 the same manner as the dissolved township without an  
17 additional ordinance, resolution, or referendum;

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

19 (3) the municipality shall exercise all duties and  
20 responsibilities of the township officers as provided in  
21 the Township Code, the Illinois Public Aid Code, the  
22 Property Tax Code, and the Illinois Highway Code, as  
23 applicable. The municipality may enter into an  
24 intergovernmental agreement with the county or the State to  
25 administer the duties and responsibilities of the township

1 officers for services under its jurisdiction; and

2 (4) any road district located within the township is  
3 abolished and its jurisdiction, rights, powers, duties,  
4 assets, property, liabilities, obligations, and  
5 responsibilities shall vest in and be assumed by the  
6 municipality and the highway commissioner of the abolished  
7 road district shall cease to hold office. The corporate  
8 authorities of the municipality shall: exercise the taxing  
9 authority of a road district abolished under this Section;  
10 exercise all duties and responsibilities of the highway  
11 commissioner as provided in the Illinois Highway Code; and  
12 for purposes of distribution of revenue, assume the powers,  
13 duties, and obligations of the road district in the  
14 discontinued township. The corporate authorities of a  
15 municipality may enter into an intergovernmental agreement  
16 or a contract with the county, another municipality, or a  
17 private contractor to administer the roads which were under  
18 the jurisdiction of the abolished road district.

19 (60 ILCS 1/29-25 new)

20 Sec. 29-25. Business, records, and property of  
21 discontinued township. The records of a township discontinued  
22 under this Article shall be deposited in the municipality's  
23 city clerk's office. The municipality may close up all  
24 unfinished business of the township and sell and dispose of any  
25 of the property belonging to the township for benefit of the

1 inhabitants of the municipality.

2 (60 ILCS 1/65-20)

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

5 (a) Compensation of township officers shall be set by the  
6 township board at least 180 days before the beginning of the  
7 terms of officers, including compensation of the road district  
8 treasurer, which shall be not less than \$100 or more than  
9 \$1,000 per year. Compensation of a township assessor and  
10 collector shall be set at the same time as the compensation of  
11 the township supervisor. Compensation of a multi-township  
12 assessor shall be set at least 150 days before his or her  
13 election.

14 (b) The compensation to be paid to each officer in a new  
15 township established under Section 10-25 shall be determined  
16 under this Section by the township board of the township the  
17 whole or a part of which comprises the new township and that  
18 has the highest equalized assessed valuation (as of December  
19 31, 1972) of the old townships that comprise the new township.

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

24 (d) For the first term of a township consolidated or merged  
25 under Article 22 or 23, compensation for township officers of

1 the consolidated or merged township shall be set by the  
2 Transition Township Board no later than the first day in April  
3 before the consolidated election at which the township officers  
4 are to be elected.

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

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

8 (65 ILCS 95/4) (from Ch. 24, par. 1604)

9 Sec. 4. Creation of Commission.

10 (a) Whenever in a municipality with more than 1,000,000  
11 inhabitants, the question of creating a home equity program  
12 within a contiguous territory included entirely within the  
13 municipality is initiated by resolution or ordinance of the  
14 corporate authorities of the municipality or by a petition  
15 signed by not less than 10% of the total number of registered  
16 voters of each precinct in the territory, the registered voters  
17 of which are eligible to sign the petition, it shall be the  
18 duty of the election authority having jurisdiction over such  
19 municipality to submit the question of creating a home equity  
20 program to the electors of each precinct within the territory  
21 at the regular election specified in the resolution, ordinance  
22 or petition initiating the question. If the question is  
23 initiated by petition and if the requisite number of signatures  
24 is not obtained in any precinct included within the territory

1 described in the petition, then the petition shall be valid as  
2 to the territory encompassed by those precincts for which the  
3 requisite number of signatures is obtained and any such  
4 precinct for which the requisite number of signatures is not  
5 obtained shall be excluded from the territory. A petition  
6 initiating a question described in this Section shall be filed  
7 with the election authority having jurisdiction over the  
8 municipality. The petition shall be filed and objections  
9 thereto shall be made in the manner provided in the general  
10 election law. A resolution, ordinance, or petition initiating a  
11 question described in this Section shall specify the election  
12 at which the question is to be submitted. The referendum on  
13 such question shall be held in accordance with general election  
14 law. Such question, and the resolution, ordinance, or petition  
15 initiating the question, shall include a description of the  
16 territory, the name of the proposed home equity program, and  
17 the maximum rate at which the home equity program shall be able  
18 to levy a property tax. All of that area within the geographic  
19 boundaries of the territory described in such question shall be  
20 included in the program, and no area outside the geographic  
21 boundaries of the territory described in such question shall be  
22 included in the program. If the election authority determines  
23 that the description cannot be included within the space  
24 limitations of the ballot, the election authority shall prepare  
25 large printed copies of a notice of the question, which shall  
26 be prominently displayed in the polling place of each precinct

1 in which the question is to be submitted.

2 (b) Whenever a majority of the voters on such public  
3 question approve the creation of a home equity program as  
4 certified by the proper election authorities, the mayor of the  
5 municipality shall appoint, with the consent of the corporate  
6 authorities, 9 individuals, to be known as commissioners, to  
7 serve as the governing body of the home equity program. The  
8 mayor shall choose 7 of the 9 individuals to be appointed to  
9 the governing commission from nominees submitted by a community  
10 organization or community organizations as defined in this Act.  
11 A community organization may recommend up to 20 individuals to  
12 serve on a governing commission. Beginning after the effective  
13 date of this amendatory Act of the 100th General Assembly, a  
14 home equity commission shall consist of 7 commissioners;  
15 however, the 9 commissioners serving on a governing commission  
16 on the effective date of this amendatory Act of the 100th  
17 General Assembly shall be allowed to finish their current terms  
18 of service. Thereafter, the number of commissioners shall be  
19 reduced to 7.

20 No fewer than 5 commissioners serving at any one time shall  
21 reside within the territory of the program. Beginning after the  
22 effective date of this amendatory Act of the 100th General  
23 Assembly, and upon the number of commissioners being reduced to  
24 7, no fewer than 4 commissioners serving at any one time shall  
25 reside within the territory of the program.

26 Upon the initial appointment of 7 commissioners to creation



1 ~~of~~ a governing commission under the provisions of this  
2 amendatory Act of the 100th General Assembly, the terms of the  
3 initial commissioners shall be as follows: one ~~3~~ shall serve  
4 for one year, 3 shall serve for 2 years, and 3 shall serve for 3  
5 years and until a successor is appointed and qualified. All  
6 succeeding terms shall be for 3 years, or until a successor is  
7 appointed or qualified. Commissioners shall serve without  
8 compensation except for reimbursement for reasonable expenses  
9 incurred in the performance of duties as a commissioner. A  
10 vacancy in the office of a member of a commission shall be  
11 filled in like manner as an original appointment.

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

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

16 (65 ILCS 95/5) (from Ch. 24, par. 1605)

17 Sec. 5. Duties and Functions of Commission. The duties and  
18 functions of the governing commission of a Home Equity Program  
19 shall include the following:

20 (a) To conduct or supervise the day-to-day operation of the  
21 program, including but not limited to the administration of  
22 homeowner applications for participation in the program and  
23 homeowner claims against the guarantee fund.

24 (b) To establish policies, rules, regulations, bylaws, and  
25 procedures for both the governing commission and the program.

1 No policies, rules, regulations, or bylaws shall be adopted by  
2 the governing commission without prior notice to the residents  
3 of the territory of a program and an opportunity for such  
4 residents to be heard.

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

7 (d) To establish guaranteed value standards which are  
8 directly linked to the program appraisal, to approve guarantee  
9 values, to establish requirements for program appraisers  
10 consistent with subsection (p) of Section 3. In no event shall  
11 the program guidelines adopted by the governing commission  
12 provide for selecting appraisers based on criteria other than  
13 the quality and timeliness of the appraisals provided to the  
14 governing commission.

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

16 (f) To liquidate acquired assets to maintain the guarantee  
17 fund.

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

21 (h) To employ necessary personnel, acquire necessary  
22 office space, enter into contractual relationships and  
23 disburse funds in accordance with the provisions of this Act. A  
24 governing commission may employ full-time or part-time  
25 employees.

26 (i) To perform such other functions in connection with the

1 program and the guarantee fund as required under this Act.

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

3 (65 ILCS 95/21 new)

4 Sec. 21. Tax Reimbursement Program. A governing  
5 commission, with no less than \$4,000,000 unencumbered funds in  
6 its guarantee fund, may, if authorized by resolution of the  
7 governing commission upon approval by two-thirds of the  
8 commissioners, establish a Tax Reimbursement Program to make  
9 reimbursements to each applicable taxpayer for an amount of no  
10 more than the total of their pro rata share of the annual levy  
11 imposed by the commission. Prior to authorizing a reimbursement  
12 program, an independent licensed public accountant not  
13 connected with the commission or any entity conducting business  
14 with the commission shall audit the commission and the proposal  
15 for the program. The commission may create a program if the  
16 independent licensed public accountant determines that such a  
17 program will not reduce the balance of the guarantee fund to  
18 less than \$3,000,000. For the purposes of this Section,  
19 "applicable taxpayer" means the owner of record that paid the  
20 tax levied on property in accordance with Section 11 of this  
21 Act.

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

1 (70 ILCS 3305/11)

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

23 The employees of the former district shall be transferred  
24 to the governmental unit assuming the functions of the former  
25 district. The governmental unit assuming the functions of the  
26 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 (Source: P.A. 98-1002, eff. 8-18-14.)

8 Section 30. The Illinois Highway Code is amended by  
9 changing Sections 6-130 and 6-133 and by adding Sections 6-134  
10 and 6-136 as follows:

11 (605 ILCS 5/6-130) (from Ch. 121, par. 6-130)

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

1 shall thereafter be administered by the township board of  
 2 trustees by contracting with the county, a municipality or a  
 3 private contractor. The township board of trustees shall assume  
 4 all taxing authority of a township road district abolished  
 5 under this Section.

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

7 (605 ILCS 5/6-133)

8 Sec. 6-133. Abolishing a road district in Cook County. By  
 9 resolution, the board of trustees of any township located in  
 10 Cook County, Illinois, may submit a proposition to abolish the  
 11 road district of that township to the electors of that township  
 12 at a general election or consolidated election in accordance  
 13 with the general election law. The ballot shall be in  
 14 substantially the following form:

15 -----  
 16 Shall the Road District of the Township of  
 17 ..... be abolished with all the rights,  
 18 powers, duties, assets, property, liabilities, YES  
 19 obligations, and responsibilities being assumed -----  
 20 by the Township of ..... ? NO  
 21 -----

22 In the event that a majority of the electors voting on such  
 23 proposition are in favor thereof, then the road district shall

1 be abolished by operation of law effective on January 1 of the  
2 calendar year immediately following the calendar year in which  
3 the proposition was approved by the electors or on the date the  
4 term of the highway commissioner in office at the time the  
5 proposition was approved by the electors expires, whichever is  
6 later.

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

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

1       Sec. 6-134. Abolishing a road district. By resolution of  
2 the board of trustees of any township located in a county with  
3 less than 3,000,000 inhabitants or by the submission of a  
4 petition meeting the requirements of Section 6-136 by electors  
5 of any township located in a county with less than 3,000,000  
6 inhabitants, a proposition to abolish the road district of that  
7 township may be submitted to the electors of that township, by  
8 the board of trustees if by resolution or by the circuit court  
9 if by petition, at a general election or consolidated election  
10 in accordance with the general election law. The ballot shall  
11 be in substantially the following form:

12       -----  
13       Shall the Road District of the Township of  
14 ..... be abolished with all the rights,  
15 powers, duties, assets, property, liabilities,                YES  
16 obligations, and responsibilities being assumed                -----  
17 by the Township of ..... ?                                       NO  
18       -----

19       In the event that a majority of the electors voting on such  
20 proposition initiated by a majority of the township board of  
21 trustees are in favor thereof, then the road district shall be  
22 abolished on the January 1 following the approval of the  
23 referendum or on the date the term of the highway commissioner  
24 in office at the time the proposition was approved by the



1 electors expires, whichever is later. If 60% of the electors  
2 voting on a referendum initiated by a petition meeting the  
3 requirements of Section 6-136 are in favor of abolishing the  
4 township road district, then the road district is abolished on  
5 the January 1 following the approval of the referendum or on  
6 the date the term of the highway commissioner in office at the  
7 time the referendum was approved expires, whichever is later.

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

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

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

6       (b) To initiate a referendum under this Section, a petition  
7 must be filed with the circuit court for the county in which  
8 the township road district is located. The petition shall be  
9 signed by not less than 10% of the total number of electors  
10 voting at the last general election in the affected township  
11 road district.

12       (c) Upon the submission of a petition requesting township  
13 road district consolidation under this Section, the clerk of  
14 the circuit court shall submit copies of the petition to the  
15 governing board of the township road district. The clerk of the  
16 circuit court shall then certify the question to the proper  
17 election authorities in accordance with the Election Code and  
18 the question shall be submitted to the electors as provided in  
19 Section 6-134.

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

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