



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB4175

by Rep. Steven Reick

#### SYNOPSIS AS INTRODUCED:

605 ILCS 5/6-135  
605 ILCS 5/6-134 rep.

Amends the Illinois Highway Code. Provides that before a township may submit a referendum to abolish a road district under a provision in the Code, the township shall prepare, through an independent entity, a cost study demonstrating that the abolishment is cost efficient and that the township is capable of carrying out its required duties and responsibilities on the date of abolishment. Defines "independent entity". Repeals a provision allowing a township that is located outside of Cook County with 15 or more miles of roads to abolish a road district of that township. Effective January 1, 2018.

LRB100 14814 AXK 29634 b

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Highway Code is amended by changing  
5 Section 6-135 as follows:

6 (605 ILCS 5/6-135)

7 (This Section may contain text from a Public Act with a  
8 delayed effective date)

9 Sec. 6-135. Abolishing a road district with less than 15  
10 miles of roads.

11 (a) Any township in a county with a population less than  
12 3,000,000 may abolish a road district of that township if the  
13 roads of the road district are less than 15 miles in length, as  
14 determined by the county engineer or county superintendent of  
15 highways, by resolution of a majority of the board of trustees  
16 to submit a referendum to abolish the road district of that  
17 township. The referendum shall be submitted to the electors of  
18 that township at the next general election or consolidated  
19 election in accordance with the general election law. The  
20 ballot shall be in substantially the following form:

21 -----

22 Shall the Road District of the Township of

1 ..... be abolished with all the rights,  
 2 powers, duties, assets, property, liabilities, YES  
 3 obligations, and responsibilities being assumed -----  
 4 by the Township of ..... ? NO  
 5 -----

6 (a-5) Before a township may submit a referendum to abolish  
 7 a road district under subsection (a) of this Section, the  
 8 township shall prepare, through an independent entity, a cost  
 9 study demonstrating that the abolishment is cost efficient and  
 10 that the township is capable of carrying out the duties and  
 11 responsibilities under subsection (b) of this Section on the  
 12 date of abolishment. If the cost study finds that the  
 13 abolishment is not cost efficient or that the township is not  
 14 capable of carrying out the duties and responsibilities, or  
 15 both, the township may not submit a referendum under subsection  
 16 (a) of this Section. For purposes of this subsection (a-5),  
 17 "independent entity" means a consulting firm with experience in  
 18 economics and local government finance that does not have an  
 19 existing agreement for services in the township or with the  
 20 county in which the township is located.

21 (b) If a majority of the electors voting on the referendum  
 22 under subsection (a) of this Section are in favor of abolishing  
 23 the township road district, then the road district is abolished  
 24 on the January 1 following the approval of the referendum or on  
 25 the date the term of the highway commissioner in office at the  
 26 time the referendum was approved expires, whichever is later.

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

16   (Source: P.A. 100-107, eff. 1-1-18.)

17           (605 ILCS 5/6-134 rep.)

18           Section 10. The Illinois Highway Code is amended by  
19   repealing Section 6-134.

20           Section 99. Effective date. This Act takes effect January  
21   1, 2018.