



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5727

by Rep. Lawrence Walsh, Jr.

SYNOPSIS AS INTRODUCED:

65 ILCS 5/7-1-5.4 new

Amends the Illinois Municipal Code. Provides that in a municipality with a population under 1,000,000 that has approved an ordinance, resolution, or vote authorizing the annexation of contiguous territory, the annexation is subject to a backdoor referendum upon the filing of a petition for a referendum containing a total number of signatures equal in number to at least 10% of the entire vote cast for all candidates for mayor or president of the annexing municipality at the last preceding general municipal election. Provides petition and referendum requirements. If the voters do not approve the annexation of the territory, provides that the municipality may not attempt to annex the territory for a period of no less than 2 years from the date it approved the ordinance, resolution, or vote authorizing the annexation of the territory. Effective immediately.

LRB100 19367 AWJ 34633 b

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 5. The Illinois Municipal Code is amended by adding
5 Section 7-1-5.4 as follows:

6 (65 ILCS 5/7-1-5.4 new)

7 Sec. 7-1-5.4. Backdoor referendum in annexing
8 municipality.

9 (a) Notwithstanding any other provision of law, in a
10 municipality with a population under 1,000,000 that has
11 approved an ordinance, resolution, or vote authorizing the
12 annexation of contiguous territory, the annexation is subject
13 to a backdoor referendum upon the filing of a petition for a
14 referendum meeting the requirements of this Section.

15 (b) A referendum under this Section shall be submitted to
16 the eligible voters residing in a municipality that has
17 approved an ordinance, resolution, or vote authorizing the
18 annexation of contiguous territory on the question of whether
19 the municipality's annexation of that territory shall occur.

20 (c) Petitions under this Section must contain a total
21 number of signatures equal in number to at least 10% of the
22 entire vote cast for all candidates for mayor or president of
23 the annexing municipality at the last preceding general

1 municipal election. Petitions shall be filed with the clerk or
2 secretary of the municipality no later than 30 days following
3 the municipality's approval of the ordinance, resolution, or
4 vote authorizing the annexation of contiguous territory and
5 shall meet the requirements of Section 28-3 of the Election
6 Code.

7 (d) Upon the filing of a petition meeting the requirements
8 of subsection (c), the municipality shall not complete the
9 annexation approved in its ordinance, resolution, or vote until
10 after a referendum is held. The referendum shall be held at the
11 municipal election next following the filing of a petition,
12 provided that the municipal election is no less than 90 days
13 following the date of filing.

14 (e) Subject to the requirements of Section 16-7 of the
15 Election Code, the referendum shall be in substantially the
16 following form:

17 Shall (municipality) annex (area being annexed)?

18 Votes must be recorded as "yes" or "no".

19 (f) The referendum is approved and annexation may continue
20 when a majority of voters residing in the municipality approve
21 the referendum. If a majority of the voters residing in the
22 municipality vote against the referendum, the municipality may
23 not attempt to annex the territory for a period of no less than
24 2 years from the date it approved the ordinance, resolution, or
25 vote authorizing the annexation of the territory.

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.