

# SB2593



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

SB2593

Introduced 2/7/2018, by Sen. Chapin Rose - Pamela J. Althoff

#### SYNOPSIS AS INTRODUCED:

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

Amends the Illinois Highway Code. Provides that before a township may submit a proposition or referendum to abolish a road district under the Code, the township shall prepare, through an independent entity, a cost study demonstrating that the abolishment is cost efficient. Provides that if a cost study finds that the abolishment is not cost efficient, the township may not submit a proposition. Defines "independent entity". Effective January 1, 2019.

LRB100 18486 LNS 33702 b

A BILL FOR

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 Sections 6-134 and 6-135 as follows:

6 (605 ILCS 5/6-134)

7 Sec. 6-134. Abolishing a road district. By resolution, the  
8 board of trustees of any township located in a county with less  
9 than 3,000,000 inhabitants may submit a proposition to abolish  
10 the road district of that township to the electors of that  
11 township at a general election or consolidated election in  
12 accordance with the general election law. The ballot shall be  
13 in substantially the following form:

14 -----  
15 Shall the Road District of the Township of  
16 ..... be abolished with all the rights,  
17 powers, duties, assets, property, liabilities, YES  
18 obligations, and responsibilities being assumed -----  
19 by the Township of ..... ? NO  
20 -----

21 Before a township may submit a proposition to abolish a

1 road district under this Section, the township shall prepare,  
2 through an independent entity, a cost study demonstrating that  
3 the abolishment is cost efficient. If the cost study finds that  
4 the abolishment is not cost efficient, the township may not  
5 submit a proposition under this Section. In this Section,  
6 "independent entity" means a consulting firm with experience in  
7 economics and local government finance that does not have an  
8 existing agreement for services in the township or with the  
9 county in which the township is located.

10 In the event that a majority of the electors voting on such  
11 proposition are in favor thereof, then the road district shall  
12 be abolished by operation of law effective 90 days after vote  
13 certification by the governing election authority or on the  
14 date the term of the highway commissioner in office at the time  
15 the proposition was approved by the electors expires, whichever  
16 is later.

17 On that date, all the rights, powers, duties, assets,  
18 property, liabilities, obligations, and responsibilities of  
19 the road district shall by operation of law vest in and be  
20 assumed by the township. On that date, the township board of  
21 trustees shall assume all taxing authority of a road district  
22 abolished under this Section. On that date, any highway  
23 commissioner of the abolished road district shall cease to hold  
24 office, such term having been terminated. Thereafter, the  
25 township shall exercise all duties and responsibilities of the  
26 highway commissioner as provided in the Illinois Highway Code.

1 The township board of trustees may enter into a contract with  
 2 the county, a municipality, or a private contractor to  
 3 administer the roads under its jurisdiction. The township board  
 4 of trustees shall assume all taxing authority of a township  
 5 road district abolished under this subsection. For purposes of  
 6 distribution of revenue, the township shall assume the powers,  
 7 duties, and obligations of the road district.

8 (Source: P.A. 100-106, eff. 1-1-18.)

9 (605 ILCS 5/6-135)

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

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

22 -----

23 Shall the Road District of the Township of  
 24 ..... be abolished with all the rights,  
 25 powers, duties, assets, property, liabilities, YES

1 obligations, and responsibilities being assumed -----  
 2 by the Township of ..... ? NO

3 -----

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

15 (b) If a majority of the electors voting on the referendum  
 16 under subsection (a) of this Section are in favor of abolishing  
 17 the township road district, then the road district is abolished  
 18 on the January 1 following the approval of the referendum or on  
 19 the date the term of the highway commissioner in office at the  
 20 time the referendum was approved expires, whichever is later.

21 On the date of abolishment: all the rights, powers, duties,  
 22 assets, property, liabilities, obligations, and  
 23 responsibilities of the road district shall by operation of law  
 24 vest in and be assumed by the township; the township board of  
 25 trustees shall assume all taxing authority of a road district  
 26 abolished under this Section; any highway commissioner of the

1 abolished road district shall cease to hold office; the  
2 township shall exercise all duties and responsibilities of the  
3 highway commissioner as provided in the Illinois Highway Code;  
4 and for purposes of distribution of revenue, the township shall  
5 assume the powers, duties, and obligations of the road  
6 district. The township board of trustees may enter into a  
7 contract with the county, a municipality, or a private  
8 contractor to administer the roads added to its jurisdiction  
9 under this Section.

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

11 Section 99. Effective date. This Act takes effect January  
12 1, 2019.