



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB3646

by Rep. Daniel Didech

#### SYNOPSIS AS INTRODUCED:

35 ILCS 200/3-70  
60 ILCS 1/29-16 new  
60 ILCS 1/29-20  
305 ILCS 5/12-3.1  
605 ILCS 5/6-140 new

Amends the Township Code. Provides that a referendum for the voters of each township that is coterminous, or substantially coterminous, with a municipality shall be held on the November 5, 2020 general election to dissolve the township and transfer all the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities to the coterminous municipality. Provides that this is in addition to any other method provided by law to dissolve a township. Repeals these provisions on July 1, 2023. Provides that a township may hire employees to administer the roads of a discontinued road district. Amends the Property Tax Code and Illinois Public Aid Code making conforming changes. Amends the Illinois Highway Code. Provides for similar provisions for abolishing a road district that is coterminous, or substantially coterminous, with a township at the November 5, 2020 general election. Effective immediately.

LRB101 07011 AWJ 52044 b

FISCAL NOTE ACT  
MAY APPLY

HOUSING  
AFFORDABILITY  
IMPACT NOTE ACT  
MAY APPLY

1 AN ACT concerning local government.

2 Section. 1. Legislative intent. It is hereby declared as  
3 the intent of this amendatory Act of the 101st General Assembly  
4 to promote consolidation of redundant layers of government and  
5 to promote government efficiency.

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

8 Section 5. The Property Tax Code is amended by changing  
9 Section 3-70 as follows:

10 (35 ILCS 200/3-70)

11 Sec. 3-70. Cessation of Township Assessor. If the office of  
12 Township Assessor in a coterminous township ceases as provided  
13 in Article 27, 28, or 29 ~~Articles 27 and 28~~ of the Township  
14 Code, then the coterminous municipality shall assume the duties  
15 of the Township Assessor under this Code.

16 (Source: P.A. 98-127, eff. 8-2-13; 99-474, eff. 8-27-15.)

17 Section 10. The Township Code is amended by changing  
18 Section 29-20 and by adding Section 29-16 as follows:

19 (60 ILCS 1/29-16 new)

20 Sec. 29-16. November 5, 2020 general election.

1 Notwithstanding any provision of law to the contrary, for each  
 2 township that is coterminous, or substantially coterminous,  
 3 with a municipality, the appropriate election authorities  
 4 shall submit to the voters of each township at the general  
 5 election held on November 5, 2020 a proposition to: (1)  
 6 discontinue and abolish the township; (2) transfer all the  
 7 rights, powers, duties, assets, property, liabilities,  
 8 obligations, and responsibilities of the township to the  
 9 municipality; and (3) discontinue and abolish all township road  
 10 districts with the district's jurisdiction and authority  
 11 transferred to the municipality upon the dissolution of the  
 12 township in accordance with the general election law. The  
 13 ballot shall be in substantially the following form:

14 -----  
 15 YES  
 16 Shall the Township of -----  
 17 (name of township) cease? NO  
 18 -----

19 The referendum is approved when a majority of the voters,  
 20 in both the township and municipality, approve the referendum.

21 If the referendum is approved, there shall be no further  
 22 nominations or elections for clerks, assessors, collectors,  
 23 highway commissioners, supervisors, or trustees of the  
 24 township or road district, and the terms of all such officers

1 currently serving shall continue until the third Monday of May  
2 of the year of the consolidated election in which township  
3 officials are elected next following the approval of a  
4 referendum under this Section.

5 The dissolution of a township under this Section is in  
6 addition to any other method provided by law to dissolve a  
7 township and failure of a referendum under this Section does  
8 not prevent the dissolution of the township as otherwise  
9 allowed by law.

10 This Section is repealed on July 1, 2023.

11 (60 ILCS 1/29-20)

12 Sec. 29-20. Cessation of township. On the third Monday in  
13 May in the year of the consolidated election in which township  
14 officials are elected next following the approval of a  
15 referendum to discontinue a township under this Division ~~under~~  
16 ~~Section 29-15:~~

17 (1) the township is discontinued and abolished and all  
18 the rights, powers, duties, assets, property, liabilities,  
19 obligations, and responsibilities of the township shall  
20 vest in and be assumed by the municipality, including the  
21 authority to levy property taxes for township purposes in  
22 the same manner as the dissolved township without an  
23 additional ordinance, resolution, or referendum;

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

25 (3) the municipality shall exercise all duties and

1 responsibilities of the township officers as provided in  
2 the Township Code, the Illinois Public Aid Code, the  
3 Property Tax Code, and the Illinois Highway Code, as  
4 applicable. The municipality may enter into an  
5 intergovernmental agreement with the county or the State to  
6 administer the duties and responsibilities of the township  
7 officers for services under its jurisdiction; and

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

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

1 Section 15. The Illinois Public Aid Code is amended by  
2 changing Section 12-3.1 as follows:

3 (305 ILCS 5/12-3.1)

4 Sec. 12-3.1. Discontinuance of a coterminous township.  
5 Upon discontinuance of a coterminous township under Article 27,  
6 28, or 29 ~~Articles 27 and 28~~ of the Township Code, the  
7 coterminous municipality shall provide funds for and  
8 administer the public aid program provided for under Article VI  
9 of this Code.

10 (Source: P.A. 98-127, eff. 8-2-13; 99-474, eff. 8-27-15.)

11 Section 20. The Illinois Highway Code is amended by adding  
12 Section 6-140 as follows:

13 (605 ILCS 5/6-140 new)

14 Sec. 6-140. Abolishing a road district coterminous with a  
15 township.

16 (a) In each road district that is coterminous, or  
17 substantially coterminous, with a township, the appropriate  
18 election authorities shall submit to the voters of each road  
19 district at the general election held on November 5, 2020 a  
20 proposition to abolish the road district of that township in  
21 accordance with the general election law. The ballot shall be  
22 in substantially the following form:



1 township board of trustees shall exercise all duties and  
2 responsibilities of the highway commissioner under the  
3 Illinois Highway Code. The township board of trustees may hire  
4 employees and enter into an intergovernmental agreement or a  
5 contract with the county, another municipality, or a private  
6 contractor to administer the roads under its jurisdiction. The  
7 township board of trustees shall assume all taxing authority of  
8 a township road district abolished under this subsection. For  
9 purposes of distribution of revenue, the township assumes the  
10 powers, duties, and obligations of the former road district.

11 (b) This Section does not apply to a road district that is  
12 coterminous, or substantially coterminous, with a township  
13 that is subject to a referendum under Section 29-16 of the  
14 Township Code.

15 (c) The abolition of a road district under this Section is  
16 in addition to any other method provided by law to dissolve a  
17 road district and failure of a referendum under subsection (a)  
18 does not prevent the abolition of the road district as  
19 otherwise allowed by law.

20 (d) This Section is repealed on July 1, 2023.

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law.