

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 Township Code is amended by changing Section
5 70-5 and by renumbering and changing Section 7-27, as added by
6 Public Act 100-983, as follows:

7 (60 ILCS 1/70-5)

8 Sec. 70-5. Supervisor; bond.

9 (a) The supervisor, before entering upon the duties of the
10 office, shall give bond to the township, with one or more
11 sureties, (i) in at least double the amount of money that may
12 come into the supervisor's hands, if individuals act as
13 sureties, or (ii) only in the amount of money that may come
14 into the supervisor's hands, if a surety company authorized to
15 do business in this State acts as surety. The bond shall be
16 conditioned on the faithful discharge of his or her duties as
17 supervisor and require that he or she safely keep and pay over
18 all money entrusted ~~intrusted~~ to his or her keeping as
19 supervisor. The bond shall be approved by the township clerk
20 and filed in the clerk's office with the clerk's approval
21 indorsed on it.

22 (b) Whenever the township clerk ascertains that the bond
23 has been forfeited, the clerk shall institute suit against the

1 supervisor. If the clerk fails or refuses to institute a suit,
2 any person interested in the matter may institute a suit.

3 ~~(c) Any person temporarily appointed under Section 60-10 to~~
4 ~~perform the clerical functions of a supervisor shall, before~~
5 ~~performing those functions, give bond in the same manner and~~
6 ~~amount and subject to the same conditions as are required of~~
7 ~~the supervisor.~~

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

9 (60 ILCS 1/70-27)

10 Sec. 70-27 ~~7-27~~. Attestation to funds endorsed by the
11 supervisor. If a township supervisor issues a payout of funds
12 from the township treasury, the township clerk shall attest to
13 such payment. A township board may adopt rules to implement the
14 provisions of this Section, including rules regulating the
15 township clerk's attestation when the township clerk is
16 temporarily unavailable, for payroll processing, and for the
17 payout of funds made by cash, credit and debit card, electronic
18 check, and other means. Attestation under this Section is not
19 required by the township clerk prior to the issuance of an
20 emergency financial assistance payout authorized by Section
21 6-10 of the Illinois Public Aid Code.

22 (Source: P.A. 100-983, eff. 1-1-19; revised 1-15-19.)

23 Section 10. The Illinois Highway Code is amended by
24 changing Sections 6-134 and 6-135 as follows:

1 (605 ILCS 5/6-134)

2 Sec. 6-134. Abolishing a road district.

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

10 -----

11 Shall the Road District of the Township of

12 be abolished with all the rights,

13 powers, duties, assets, property, liabilities, YES

14 obligations, and responsibilities being assumed -----

15 by the Township of ? NO

16 -----

17 In the event that a majority of the electors voting on such
18 proposition are in favor thereof, then the road district shall
19 be abolished by operation of law effective 90 days after vote
20 certification by the governing election authority or on the
21 date the term of the highway commissioner in office at the time
22 the proposition was approved by the electors expires, whichever
23 is later.

1 On that date, all the rights, powers, duties, assets,
2 property, liabilities, obligations, and responsibilities of
3 the road district shall by operation of law vest in and be
4 assumed by the township. On that date, the township board of
5 trustees shall assume all taxing authority of a road district
6 abolished under this Section. On that date, any highway
7 commissioner of the abolished road district shall cease to hold
8 office, such term having been terminated. Thereafter, the
9 township shall exercise all duties and responsibilities of the
10 highway commissioner as provided in the Illinois Highway Code.
11 The township board of trustees may enter into a contract with
12 the county, a municipality, or a private contractor to
13 administer the roads under its jurisdiction. The township board
14 of trustees shall assume all taxing authority of a township
15 road district abolished under this subsection. For purposes of
16 distribution of revenue, the township shall assume the powers,
17 duties, and obligations of the road district. Distribution of
18 revenue by the township to the treasurer of a municipality
19 under Section 6-507 shall be only paid from moneys levied for
20 road purposes pursuant to Division 5 of Article 6 of the
21 Illinois Highway Code.

22 (b) If a referendum passed under subsection (a) at the
23 November 6, 2018 election and a road district has not been
24 abolished as provided in subsection (a) by the effective date
25 of this amendatory Act of the 101st General Assembly:

26 (1) the township board shall have the sole authority

1 relating to the following duties and powers of the road
2 district until the date of abolition:

3 (A) creating and approving the budget of the road
4 district;

5 (B) levying taxes (the township board of trustees
6 assumes all taxing authority of the township road
7 district);

8 (C) entering into contracts for the road district;

9 (D) employing and fixing the compensation of road
10 district employees that the township board deems
11 necessary; and

12 (E) setting and adopting rules concerning all
13 benefits available to employees of the road district.

14 (2) the road district or the highway commissioner may
15 not commence or maintain litigation against the township to
16 resolve any dispute related to the road district regarding
17 powers of the office of the highway commissioner, the
18 powers of the supervisor, or the powers of the township
19 board.

20 (c) If a township has approved a consolidated road district
21 after a referendum under Section 6-109 and the consolidation is
22 not yet effective and if the township subsequently approves a
23 referendum under this Section, then the consolidation under
24 Section 6-109 is void and shall not occur.

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

1 (605 ILCS 5/6-135)

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

4 (a) Any township in a county with a population less than
5 3,000,000 may abolish a road district of that township if the
6 roads of the road district are less than 15 miles in length, as
7 determined by the county engineer or county superintendent of
8 highways, by resolution of a majority of the board of trustees
9 to submit a referendum to abolish the road district of that
10 township. The referendum shall be submitted to the electors of
11 that township at the next general election or consolidated
12 election in accordance with the general election law. The
13 ballot shall be 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 (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 abolition ~~abolishment~~: all the rights,
2 powers, duties, assets, property, liabilities, obligations,
3 and responsibilities of the road district shall by operation of
4 law vest in and be assumed by the township; the township board
5 of trustees shall assume all taxing authority of a road
6 district abolished under this Section; any highway
7 commissioner of the abolished road district shall cease to hold
8 office; the township shall exercise all duties and
9 responsibilities of the highway commissioner as provided in the
10 Illinois Highway Code; and for purposes of distribution of
11 revenue, the township shall assume the powers, duties, and
12 obligations of the road district. The township board of
13 trustees may enter into a contract with the county, a
14 municipality, or a private contractor to administer the roads
15 added to its jurisdiction under this Section.

16 If a township has approved a consolidated road district
17 after a referendum under Section 6-109 and the consolidation is
18 not yet effective and if the township subsequently approves a
19 referendum under this Section, then the consolidation under
20 Section 6-109 is void and shall not occur.

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

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