



Rep. Daniel Didech

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10100HB3676ham001

LRB101 07944 AWJ 58349 a

1 AMENDMENT TO HOUSE BILL 3676

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3676 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Township Code is amended by changing  
5 Section 70-5 and by renumbering and changing Section 7-27, as  
6 added by 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

1 supervisor and require that he or she safely keep and pay over  
2 all money entrusted ~~intrusted~~ to his or her keeping as  
3 supervisor. The bond shall be approved by the township clerk  
4 and filed in the clerk's office with the clerk's approval  
5 indorsed on it.

6 (b) Whenever the township clerk ascertains that the bond  
7 has been forfeited, the clerk shall institute suit against the  
8 supervisor. If the clerk fails or refuses to institute a suit,  
9 any person interested in the matter may institute a suit.

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

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

16 (60 ILCS 1/70-27)

17 Sec. 70-27 ~~7-27~~. Attestation to funds endorsed by the  
18 supervisor. If a township supervisor issues a payout of funds  
19 from the township treasury, the township clerk shall attest to  
20 such payment. A township board may adopt rules to implement the  
21 provisions of this Section, including rules regulating the  
22 township clerk's attestation when the township clerk is  
23 temporarily unavailable, for payroll processing, and for the  
24 payout of funds made by cash, credit and debit card, electronic  
25 check, and other means. Attestation under this Section is not

1 required by the township clerk prior to the issuance of an  
 2 emergency financial assistance payout authorized by Section  
 3 6-10 of the Illinois Public Aid Code.

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

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

7 (605 ILCS 5/6-134)

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

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

16 -----  
 17 Shall the Road District of the Township of  
 18 ..... be abolished with all the rights,  
 19 powers, duties, assets, property, liabilities, YES  
 20 obligations, and responsibilities being assumed -----  
 21 by the Township of ..... ? NO  
 22 -----

1           In the event that a majority of the electors voting on such  
2 proposition are in favor thereof, then the road district shall  
3 be abolished by operation of law effective 90 days after vote  
4 certification by the governing election authority or on the  
5 date the term of the highway commissioner in office at the time  
6 the proposition was approved by the electors expires, whichever  
7 is later.

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

1 road purposes pursuant to Division 5 of Article 6 of the  
2 Illinois Highway Code.

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

7 (1) the township board shall have the sole authority  
8 relating to the following duties and powers of the road  
9 district until the date of abolition:

10 (A) creating and approving the budget of the road  
11 district;

12 (B) levying taxes (the township board of trustees  
13 assumes all taxing authority of the township road  
14 district);

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

16 (D) employing and fixing the compensation of road  
17 district employees that the township board deems  
18 necessary; and

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

21 (2) the road district or the highway commissioner may  
22 not commence or maintain litigation against the township to  
23 resolve any dispute related to the road district regarding  
24 powers of the office of the highway commissioner, the  
25 powers of the supervisor, or the powers of the township  
26 board.

1       (c) If a township has approved a consolidated road district  
 2 after a referendum under Section 6-109 and the consolidation is  
 3 not yet effective and if the township subsequently approves a  
 4 referendum under this Section, then the consolidation under  
 5 Section 6-109 is void and shall not occur.

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

7               (605 ILCS 5/6-135)

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

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

20       -----

21            Shall the Road District of the Township of	
22            ..... be abolished with all the rights,	
23            powers, duties, assets, property, liabilities,	YES
24            obligations, and responsibilities being assumed	-----
25            by the Township of ..... ?	NO

1 -----  
2 (b) If a majority of the electors voting on the referendum  
3 under subsection (a) of this Section are in favor of abolishing  
4 the township road district, then the road district is abolished  
5 on the January 1 following the approval of the referendum or on  
6 the date the term of the highway commissioner in office at the  
7 time the referendum was approved expires, whichever is later.

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

23 If a township has approved a consolidated road district  
24 after a referendum under Section 6-109 and the consolidation is  
25 not yet effective and if the township subsequently approves a  
26 referendum under this Section, then the consolidation under

1 Section 6-109 is void and shall not occur.

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

3 Section 99. Effective date. This Act takes effect upon  
4 becoming law.".