



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5190

Introduced 2/9/2024, by Rep. Norine K. Hammond

SYNOPSIS AS INTRODUCED:

605 ILCS 5/6-901	from Ch. 121, par. 6-901
605 ILCS 5/6-906	from Ch. 121, par. 6-906
605 ILCS 5/6-907 new	
605 ILCS 5/6-905 rep.	

Amends the Illinois Highway Code. Provides that the allocation to road districts shall be made in the same manner and be subject to the same conditions and qualifications as are provided by Section 8 of the Motor Vehicle Tax Law with respect to the allocation to road districts of the amount allotted from the Motor Fuel Tax Fund for apportionment to counties for the use of road districts, but no allocation shall be made to any road district that has not levied taxes for road and bridge purposes in such a manner that is eligible for allotment of Motor Fuel Tax funding pursuant to the Motor Fuel Tax Law. Provides that any funds allocated to a county that are not obligated within 48 months shall be considered lapsed funds and reappropriated in the same fund. Provides that the lapsed funds shall be used to provide additional monetary assistance to townships and road districts that have insufficient funding for construction of bridges that are 20 feet or more in length under the Code. Requires the Department of Transportation to adopt rules to implement the provisions.

LRB103 39340 MXP 69502 b

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
5 changing Sections 6-901 and 6-906 and by adding 6-907 as
6 follows:

7 (605 ILCS 5/6-901) (from Ch. 121, par. 6-901)

8 Sec. 6-901. Annually, the General Assembly shall
9 appropriate to the Department of Transportation from the Road
10 Fund ~~road fund~~, the General Revenue Fund, or ~~general revenue~~
11 ~~fund~~, any other State funds, or a combination of those funds,
12 \$60,000,000 for apportionment to counties for the use of road
13 districts for the construction of bridges 20 feet or more in
14 length, as provided in Sections 6-902 through 6-907 ~~6-905~~.

15 The Department of Transportation shall apportion among the
16 several counties of this State for the use of road districts
17 the amounts appropriated under this Section. The amount
18 apportioned to a county shall be in the proportion which the
19 total mileage of township or district roads in the county
20 bears to the total mileage of all township and district roads
21 in the State. Each county shall allocate to the several road
22 districts in the county the funds so apportioned to the
23 county. The allocation to road districts shall be made in the

1 same manner and be subject to the same conditions and
2 qualifications as are provided by Section 8 of the "~~Motor Fuel~~
3 ~~Tax Law~~", ~~approved March 25, 1929, as amended,~~ with respect to
4 the allocation to road districts of the amount allotted from
5 the Motor Fuel Tax Fund for apportionment to counties for the
6 use of road districts, but no allocation shall be made to any
7 road district that has not levied taxes for road and bridge
8 purposes in such a manner that is eligible for allotment of
9 Motor Fuel Tax funding pursuant to Section 8 of the Motor Fuel
10 Tax Law. ~~and for bridge construction purposes at the maximum~~
11 ~~rates permitted by Sections 6-501, 6-508 and 6-512 of this~~
12 ~~Act, without referendum.~~ "Road district" and "township or
13 district road" have the meanings ascribed to those terms in
14 this Act.

15 Road districts in counties in which a property tax
16 extension limitation is imposed under the Property Tax
17 Extension Limitation Law that are made ineligible for receipt
18 of this appropriation due to the imposition of a property tax
19 extension limitation may become eligible if, at the time the
20 property tax extension limitation was imposed, the road
21 district was levying at the required rate and continues to
22 levy the maximum allowable amount after the imposition of the
23 property tax extension limitation. The road district also
24 becomes eligible if it levies at or above the rate required for
25 eligibility by Section 8 of the Motor Fuel Tax Law.

26 The amounts apportioned under this Section for allocation

1 to road districts may be used only for bridge construction as
2 provided in this Division. So much of those amounts as are not
3 obligated under Sections 6-902 through 6-904 and for which
4 local funds have not been committed under Section 6-905 within
5 48 months of the date when such apportionment is made lapses
6 and shall not be paid to the county treasurer for distribution
7 to road districts.

8 (Source: P.A. 103-8, eff. 6-7-23; revised 9-25-23.)

9 (605 ILCS 5/6-906) (from Ch. 121, par. 6-906)

10 Sec. 6-906. So much of the amount apportioned to a county
11 under Section 6-901 that is obligated under Sections 6-902
12 through 6-904 and for which local funds have been committed
13 under Section 6-905, within 4 years from the date the
14 apportionment is made, shall, upon certification by the
15 Department, be paid to the county treasurer, who shall apply
16 those funds to the payment of such obligations. Any funds
17 allocated to a county under Section 6-901 that are not
18 obligated within 48 months under Sections 6-902 through 6-904
19 shall be considered lapsed funds and reappropriated in the
20 same fund ~~revert to the Road Fund.~~

21 (Source: P.A. 98-244, eff. 8-9-13.)

22 (605 ILCS 5/6-907 new)

23 Sec. 6-907. Lapsed funds; use. Lapsed funds under Section
24 6-906 shall be used to provide additional monetary assistance

1 to townships and road districts that have insufficient funding
2 for construction of bridges that are 20 feet or more in length
3 under 6-901 of this Code. The Department shall adopt rule to
4 implement this Section.

5 (605 ILCS 5/6-905 rep.)

6 Section 10. The Illinois Highway Code is amended by
7 repealing Section 6-905.