



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5440

Introduced 2/9/2024, by Rep. Joe C. Sosnowski

SYNOPSIS AS INTRODUCED:

60 ILCS 1/235-20

Amends the Township Code. Provides that a township must expend at least 51% of the funds deposited into the general assistance fund in a calendar year by the following calendar year. Provides for elimination of the general assistance tax for one year if a township expends less than 51% of the funds deposited into the general assistance fund in a calendar year by the following calendar year. Provides for the reduction of the general assistance tax levy to 0.05% if a township expends at least 51% but less than 70% of the funds deposited into the general assistance fund in a calendar year by the following calendar year. Effective immediately.

LRB103 36802 AWJ 66912 b

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
5 Section 235-20 as follows:

6 (60 ILCS 1/235-20)

7 Sec. 235-20. General assistance tax.

8 (a) The township board may raise money by taxation deemed
9 necessary to be expended to provide general assistance in the
10 township to persons needing that assistance as provided in the
11 Illinois Public Aid Code, including persons eligible for
12 assistance under the Military Veterans Assistance Act, where
13 that duty is provided by law. The tax for each fiscal year
14 shall not be more than 0.10% of value, or more than an amount
15 approved at a referendum held under this Section, as equalized
16 or assessed by the Department of Revenue, and shall in no case
17 exceed the amount needed in the township for general
18 assistance. The board may decrease the maximum tax rate by
19 ordinance.

20 (b) Except as otherwise provided in this subsection, if
21 the board desires to increase the maximum tax rate, it shall
22 order a referendum on that proposition to be held at an
23 election in accordance with the general election law. The

1 board shall certify the proposition to the proper election
2 officials, who shall submit the proposition to the voters at
3 an election in accordance with the general election law. If a
4 majority of the votes cast on the proposition is in favor of
5 the proposition, the board may annually levy the tax at a rate
6 not exceeding the higher rate approved by the voters at the
7 election. If, however, the board has decreased the maximum tax
8 rate under subsection (a), then it may, at any time after the
9 decrease, increase the maximum tax rate, by ordinance, to a
10 rate less than or equal to the maximum tax rate immediately
11 prior to the board's ordinance to decrease the rate.

12 (c) If a city, village, or incorporated town having a
13 population of more than 500,000 is located within or partially
14 within a township, then the entire amount of the tax levied by
15 the township for the purpose of providing general assistance
16 under this Section on property lying within that city,
17 village, or incorporated town, less the amount allowed for
18 collecting the tax, shall be paid over by the treasurer of the
19 township to the treasurer of the city, village, or
20 incorporated town to be appropriated and used by the city,
21 village, or incorporated town for the relief and support of
22 persons needing general assistance residing in that portion of
23 the city, village, or incorporated town located within the
24 township in accordance with the Illinois Public Aid Code.

25 (d) Any taxes levied for general assistance before or
26 after this Section takes effect may also be used for the

1 payment of warrants issued against and in anticipation of
2 those taxes and accrued interest on those warrants and may
3 also be used to pay the cost of administering that assistance.

4 (e) In any township with a population of less than 500,000
5 that receives no State funding for the general assistance
6 program and that has not issued anticipation warrants or
7 otherwise borrowed monies for the administration of the
8 general assistance program during the township's previous 3
9 fiscal years of operation, a one time transfer of monies from
10 the township's general assistance fund may be made to the
11 general township fund pursuant to action by the township
12 board. This transfer may occur only to the extent that the
13 amount of monies remaining in the general assistance fund
14 after the transfer is equal to the greater of (i) the amount of
15 the township's expenditures in the previous fiscal year for
16 general assistance or (ii) an amount equal to either 0.10% of
17 the last known total equalized value of all taxable property
18 in the township, or 100% of the highest amount levied for
19 general assistance purposes in any of the three previous
20 fiscal years. The transfer shall be completed no later than
21 one year after the effective date of this amendatory Act of the
22 92nd General Assembly. No township that has certified a new
23 levy or an increase in the levy under this Section during
24 calendar year 2002 may transfer monies under this subsection.
25 No action on the transfer of monies under this subsection
26 shall be taken by the township board except at a township board

1 meeting. No monies transferred under this subsection shall be
2 considered in determining whether the township qualifies for
3 State funds to supplement local funds for public aid purposes
4 under Section 12-21.13 of the Illinois Public Aid Code.

5 (e-5) The township board of Gray Township in White County
6 may approve by resolution or ordinance transfers of monies
7 from the township's general assistance fund to the general
8 township fund no later than one year after the effective date
9 of this amendatory Act of the 99th General Assembly if:

10 (1) the township receives no State funding for the
11 general assistance program;

12 (2) the township has not issued anticipation warrants
13 or otherwise borrowed monies for the administration of the
14 general assistance program during the township's previous
15 3 fiscal years of operation;

16 (3) the amount of monies remaining in the general
17 assistance fund after the transfer is equal to the greater
18 of (i) the amount of the township's expenditures in the
19 previous fiscal year for general assistance or (ii) an
20 amount equal to either 0.10% of the last known total
21 equalized value of all taxable property in the township,
22 or 100% of the highest amount levied for general
23 assistance purposes in any of the three previous fiscal
24 years; and

25 (4) the township that has not certified a new levy or
26 an increase in the levy under this Section during calendar

1 year 2015.

2 No monies transferred under this subsection shall be
3 considered in determining whether the township qualifies for
4 State funds to supplement local funds for public aid purposes
5 under Section 12-21.13 of the Illinois Public Aid Code.

6 (f) A township must expend at least 51% of the funds
7 deposited into the general assistance fund in a calendar year
8 by the following calendar year.

9 If a township expends less than 51% of the funds deposited
10 into the general assistance fund in a calendar year by the
11 following calendar year, the general assistance tax levy is
12 eliminated for the calendar year immediately following the
13 calendar year in which the township was required to expend at
14 least 51%. If a general assistance tax levy is eliminated
15 under this paragraph, the treasurer of the township shall
16 provide notice to the county clerk of the elimination. The
17 general assistance tax levy shall be restored after the year
18 it was eliminated to the same tax levy percentage as before the
19 levy was eliminated under this paragraph.

20 If a township expends at least 51% but less than 70% of the
21 funds deposited into the general assistance fund in a calendar
22 year by the following calendar year, the general assistance
23 tax levy is reduced to 0.05% on January 1 if the general
24 assistance tax levy is greater than 0.05%, notwithstanding any
25 other provision of this Section. If a general assistance tax
26 levy percentage is reduced under this paragraph, the treasurer

1 of the township shall provide notice to the county clerk of the
2 reduction. A general assistance tax levy percentage reduced
3 under this paragraph may be increased as otherwise provided in
4 this Section, except that the levy will be reduced again or
5 eliminated if the township does not meet the requirements of
6 this subsection.

7 (Source: P.A. 99-248, eff. 1-1-16.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.