

1 AN ACT in relation to townships.

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 Sections 85-10, 140-5, and 240-5 as follows:

6 (60 ILCS 1/85-10)

7 Sec. 85-10. Township corporate powers.

8 (a) Every township has the corporate capacity to exercise  
9 the powers granted to it, or necessarily implied, and no  
10 others. Every township has the powers specified in this  
11 Section.

12 (b) A township may sue and be sued.

13 (c) A township may acquire (by purchase, gift, or legacy)  
14 and hold property, both real and personal, for the use of its  
15 inhabitants and may sell and convey that property. A township  
16 may purchase any real estate or personal property for public  
17 purposes under contracts providing for payment in installments  
18 over a period of time of not more than 20 years in the case of  
19 real estate and not more than 10 years in the case of personal  
20 property. A township may finance the purchase of any real  
21 estate or personal property for public purpose under finance  
22 contracts providing for payment in installments over a period  
23 of time of not more than 20 years in the case of real estate and  
24 not more than 10 years in the case of personal property. A  
25 township may construct a township hall under contracts  
26 providing for payment over a period of time of not more than 10  
27 ~~5~~ years. The interest on the unpaid balance shall not exceed  
28 that permitted in the Bond Authorization Act.

29 (d) A township may make all contracts necessary in the  
30 exercise of the township's powers.

31 (e) A township may expend or contract for the expenditure  
32 of any federal funds made available to the township by law for

1 any purpose for which taxes imposed upon township property or  
2 property within the township may be expended.

3 (f) A township may acquire (singly or jointly with a  
4 municipality or municipalities) land or any interest in land  
5 located within its township limits. The township may acquire  
6 the land or interest by gift, purchase, or otherwise, but not  
7 by condemnation. A township may (singly or jointly) improve or  
8 arrange for the improvement of the land for industrial or  
9 commercial purposes and may donate and convey the land or  
10 interest in land so acquired and so improved to the Illinois  
11 Finance Authority.

12 (g) (Blank)

13 (h) It is the policy of this State that all powers granted  
14 either expressly or by necessary implication by this Code, any  
15 other Illinois statute, or the Illinois Constitution to  
16 townships may be exercised by those townships notwithstanding  
17 effects on competition. It is the intention of the General  
18 Assembly that the "State action exemption" to the application  
19 of federal antitrust statutes be fully available to townships  
20 to the extent their activities are authorized by law as stated  
21 in this Code.

22 (i) A township may receive funds under the federal Housing  
23 and Community Development Act of 1974 and may expend or  
24 contract for the expenditure of those funds and other township  
25 funds for the activities specified in Section 105 of that Act.  
26 The powers granted under this subsection (i) are in addition to  
27 powers otherwise possessed by a township and shall not be  
28 construed as a limitation of those other powers.

29 (j) A township may establish reasonable fees for recreation  
30 and instructional programs sponsored by the township.

31 (Source: P.A. 93-205, eff. 1-1-04.)

32 (60 ILCS 1/140-5)

33 Sec. 140-5. Petition and referendum for township hall.

34 (a) Whenever it is desired to build, purchase, or lease, for a  
35 longer period than 10 ~~5~~ years, a township hall, a multi-purpose

1 senior center, or a combined township hall and multi-purpose  
2 senior center in any township, at least 25 electors of the  
3 township may, before the time of giving notice of the annual  
4 township meeting, file with the township clerk a petition in  
5 writing that the proposition of building, purchasing, or  
6 leasing a township hall, a multi-purpose senior center, or a  
7 combination township hall and multi-purpose senior center and  
8 issuing bonds for the building, purchase, or lease be submitted  
9 to the voters of the township at the next ensuing general  
10 election. The proposition shall be clearly stated in the  
11 petition substantially as follows: "Shall (name of township)  
12 borrow \$(amount) to ( build, purchase, or lease) a (township  
13 hall, multi-purpose senior center, or combination  
14 multi-purpose township hall and senior center) and issue bonds  
15 for the (building, purchase, or lease)?" The petition shall be  
16 filed in the office of the township clerk.

17 (b) The township clerk shall certify the proposition to the  
18 proper election officials, who shall submit the proposition to  
19 the legal voters of the township at an election in accordance  
20 with the general election law. The form of the proposition  
21 shall be substantially as follows:

22 Shall (name of township) borrow \$(amount) to ( build,  
23 purchase, or lease) a (township hall, multi-purpose senior  
24 center, or combination township hall and multi-purpose  
25 senior center) and issue bonds for the (building, purchase,  
26 or lease)?

27 The votes shall be recorded as "Yes" or "No".

28 (Source: P.A. 87-1254; 88-62.)

29 (60 ILCS 1/240-5)

30 Sec. 240-5. Borrowing money. The township board may borrow  
31 money (i) from any bank or financial institution if the money  
32 is to be repaid within 10 years from the time it is borrowed or  
33 (ii), with the approval of the highway commissioner, from a  
34 township road district fund, if the money is to be repaid  
35 within one year from the time it is borrowed. "Financial

1 institution" means any bank subject to the Illinois Banking  
2 Act, any savings and loan association subject to the Illinois  
3 Savings and Loan Act of 1985, and any federally chartered  
4 commercial bank or savings and loan association organized and  
5 operated in this State under the laws of the United States.

6 (Source: P.A. 86-1179; 88-62.)

7 Section 10. The Illinois Highway Code is amended by  
8 changing Section 6-107.1 as follows:

9 (605 ILCS 5/6-107.1) (from Ch. 121, par. 6-107.1)

10 Sec. 6-107.1. Road districts may borrow money from any bank  
11 or other financial institution or, in a township road district  
12 and with the approval of the town board of trustees, from the  
13 town fund, provided such money shall be repaid within 10 years  
14 ~~one year~~ from the time the money is borrowed. "Financial  
15 institution" means any bank subject to the Illinois Banking  
16 Act, any savings and loan association subject to the Illinois  
17 Savings and Loan Act of 1985, and any federally chartered  
18 commercial bank or savings and loan association organized and  
19 operated in this State pursuant to the laws of the United  
20 States.

21 (Source: P.A. 85-514; 86-1179.)

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