

1 AN ACT in relation to sanitary districts.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Sanitary District Act of 1917 is amended
5 by changing Section 27 as follows:

6 (70 ILCS 2405/27) (from Ch. 42, par. 317i)

7 Sec. 27. (a) Any sanitary district created under this Act
8 which does not have any outstanding and unpaid revenue bonds
9 issued under the provisions of this Act and which has a
10 population not in excess of 5000 persons and where that
11 sanitary district has entered into an intergovernmental
12 agreement with a municipality for the mutual expenditure of
13 funds in joint work and for the transfer of assets under the
14 Municipality and Sanitary District Mutual Expenditure Act may
15 be dissolved as follows:

16 The board of trustees of a sanitary district may petition
17 the circuit court to dissolve the district. Such petition
18 must show: (1) the reasons for dissolving the district; (2)
19 that there are no debts of the district outstanding or that
20 there are sufficient funds on hand or available to satisfy
21 such debts; (3) that no contract or federal or state permit
22 or grant will be impaired by the dissolution of the sanitary
23 district; (4) that all assets and responsibilities of the
24 sanitary district have been properly assigned to the
25 successor municipality; and (5) that the sanitary district
26 will pay any court costs incurred in connection with the
27 petition.

28 Upon adequate notice, including appropriate notice to the
29 Illinois Environmental Protection Agency, the circuit court
30 shall hold a hearing to determine whether there is good
31 reason for dissolving the district and whether the

1 allegations of the petition are true. If the court finds for
2 the petitioners it shall order the district dissolved but if
3 the court finds against the petitioners the petition shall be
4 dismissed. In either event, the costs shall be taxed against
5 the sanitary district. The order shall be final. Separate
6 or joint appeals may be taken by any of the parties affected
7 thereby or by the trustees of the sanitary district, as in
8 other civil cases.

9 (Source: P.A. 88-572, eff. 8-11-94.)

10 (b) Any municipality located in a county with a population
11 not in excess of 1,000,000 persons which has: (i) formed a
12 sanitary district located wholly within said county; and (ii)
13 contains within its municipal limits 90% of the area serviced
14 by the existing sanitary district; has the power to dissolve
15 said sanitary district and acquire all assets and
16 responsibilities of the district.

17 The corporate authorities of the municipality, after
18 providing at least 60 days written notice to a sanitary
19 district, may vote to dissolve and acquire an existing
20 sanitary district formed pursuant to this Act, upon showing:
21 (1) the reasons for dissolving the district; (2) that there
22 are no outstanding debts of the district or that the
23 municipality has sufficient funds on hand or available to
24 satisfy any such debts; (3) that no federal or state permit
25 or grant will be impaired by dissolution of the existing
26 sanitary district; (4) that all assets and responsibilities
27 of the district have been properly assigned to the
28 municipality; and (5) that adequate notice has been given to
29 the Illinois Environmental Protection Agency regarding the
30 dissolution of the sanitary district. Any costs associated
31 with the dissolution of the existing sanitary district may be
32 taxed against the sanitary district once the municipality has
33 acquired all the assets and responsibilities of the district.

1 Any costs associated with the dissolution of the existing
2 sanitary district may be taxed against the sanitary district
3 once the municipality has acquired all the assets and
4 responsibilities of the district. The sanitary district may
5 file an appeal with the circuit court, which shall hold a
6 hearing, to determine whether the requirements of this
7 section has been met. If the court finds that the
8 requirements of this section have been met, it shall uphold
9 the action of the municipality to dissolve the district. If
10 the court finds that said requirements have not been met, it
11 shall order that the sanitary district not be dissolved.

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.