SB2591

95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2591

Introduced 2/15/2008, by Sen. Matt Murphy

SYNOPSIS AS INTRODUCED:

55 ILCS 5/1-3012 new

    Amends the Counties Code. Provides that, in Cook County, one or more contiguous townships may be disconnected from the county and may form a new county. Provides that the disconnection must be approved by referendum. Preempts home rule powers. Effective immediately.

FISCAL NOTE ACT MAY APPLY	HOME RULE NOTE ACT MAY APPLY	HOUSING AFFORDABILITY IMPACT NOTE ACT MAY APPLY

A BILL FOR

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 Counties Code is amended by adding Section

5   1-3012 as follows:

6   (55 ILCS 5/1-3012 new)

7   Sec. 1-3012. Disconnection from county.

8   (a) Notwithstanding any other provision of law, in Cook

9   County, one or more contiguous townships may be disconnected

10   from the county and may form a new county by one of the

11   following methods:

12   (i) The governing body of the township or townships may

13   adopt an ordinance to disconnect the territory of the

14   township from the county. Any ordinance adopted under this

15   item shall not take effect until it is approved by the

16   voters of the township at referendum. The township board

17   must certify the question to the proper election authority,

18   which must submit the question to the electors residing in

19   the township at the next general election in accordance

20   with the Election Code.

21   (ii) The electors of the county who reside in the

22   township or townships may call for the disconnection by

23   filing a petition signed by at least 10% of the electors

1   residing in the township. The township board must certify

2   the question to the proper election authority, which must

3   submit the question to the electors residing in the

4   township at the next general election in accordance with

5   the Election Code.

6   In either case, the question must be in substantially the

7   following form:

8   "Shall (insert name of township) be disconnected from

9   Cook County in order to form a new county?"

10   Votes shall be recorded as "Yes" or "No". If a majority of

11   the votes cast upon the proposition are in favor of the

12   disconnection, then the township shall be disconnected when a

13   new county has been formed in the manner described in this

14   Division. This Section is a denial and limitation of home rule

15   powers and functions under subsection (h) of Section 6 of

16   Article VII of the Illinois Constitution.

17   Section 99. Effective date. This Act takes effect upon

18   becoming law.