

SB1663



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB1663

Introduced 2/19/2009, 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.

LRB096 10733 RLJ 20917 b

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.