

# HB5884



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

**HB5884**

Introduced 2/16/2012, by Rep. Chapin Rose

#### SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-1005

from Ch. 34, par. 5-1005

Amends the Counties Code. Makes a technical change in a Section concerning powers of counties.

LRB097 20570 KMW 66185 b

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 changing Section  
5 5-1005 as follows:

6 (55 ILCS 5/5-1005) (from Ch. 34, par. 5-1005)

7 Sec. 5-1005. Powers. Each county shall have power:

8 1. To purchase and ~~and~~ hold the real and personal  
9 estate necessary for the uses of the county, and to  
10 purchase and hold, for the benefit of the county, real  
11 estate sold by virtue of judicial proceedings in which the  
12 county is plaintiff.

13 2. To sell and convey or lease any real or personal  
14 estate owned by the county.

15 3. To make all contracts and do all other acts in  
16 relation to the property and concerns of the county  
17 necessary to the exercise of its corporate powers.

18 4. To take all necessary measures and institute  
19 proceedings to enforce all laws for the prevention of  
20 cruelty to animals.

21 5. To purchase and hold or lease real estate upon which  
22 may be erected and maintained buildings to be utilized for  
23 purposes of agricultural experiments and to purchase, hold

1 and use personal property for the care and maintenance of  
2 such real estate in connection with such experimental  
3 purposes.

4 6. To cause to be erected, or otherwise provided,  
5 suitable buildings for, and maintain a county hospital and  
6 necessary branch hospitals and/or a county sheltered care  
7 home or county nursing home for the care of such sick,  
8 chronically ill or infirm persons as may by law be proper  
9 charges upon the county, or upon other governmental units,  
10 and to provide for the management of the same. The county  
11 board may establish rates to be paid by persons seeking  
12 care and treatment in such hospital or home in accordance  
13 with their financial ability to meet such charges, either  
14 personally or through a hospital plan or hospital  
15 insurance, and the rates to be paid by governmental units,  
16 including the State, for the care of sick, chronically ill  
17 or infirm persons admitted therein upon the request of such  
18 governmental units. Any hospital maintained by a county  
19 under this Section is authorized to provide any service and  
20 enter into any contract or other arrangement not prohibited  
21 for a hospital that is licensed under the Hospital  
22 Licensing Act, incorporated under the General  
23 Not-For-Profit Corporation Act, and exempt from taxation  
24 under paragraph (3) of subsection (c) of Section 501 of the  
25 Internal Revenue Code.

26 7. To contribute such sums of money toward erecting,

1 building, maintaining, and supporting any non-sectarian  
2 public hospital located within its limits as the county  
3 board of the county shall deem proper.

4 8. To purchase and hold real estate for the  
5 preservation of forests, prairies and other natural areas  
6 and to maintain and regulate the use thereof.

7 9. To purchase and hold real estate for the purpose of  
8 preserving historical spots in the county, to restore,  
9 maintain and regulate the use thereof and to donate any  
10 historical spot to the State.

11 10. To appropriate funds from the county treasury to be  
12 used in any manner to be determined by the board for the  
13 suppression, eradication and control of tuberculosis among  
14 domestic cattle in such county.

15 11. To take all necessary measures to prevent forest  
16 fires and encourage the maintenance and planting of trees  
17 and the preservation of forests.

18 12. To authorize the closing on Saturday mornings of  
19 all offices of all county officers at the county seat of  
20 each county, and to otherwise regulate and fix the days and  
21 the hours of opening and closing of such offices, except  
22 when the days and the hours of opening and closing of the  
23 office of any county officer are otherwise fixed by law;  
24 but the power herein conferred shall not apply to the  
25 office of State's Attorney and the offices of judges and  
26 clerks of courts and, in counties of 500,000 or more

1 population, the offices of county clerk.

2 13. To provide for the conservation, preservation and  
3 propagation of insectivorous birds through the expenditure  
4 of funds provided for such purpose.

5 14. To appropriate funds from the county treasury and  
6 expend the same for care and treatment of tuberculosis  
7 residents.

8 15. In counties having less than 1,000,000  
9 inhabitants, to take all necessary or proper steps for the  
10 extermination of mosquitoes, flies or other insects within  
11 the county.

12 16. To install an adequate system of accounts and  
13 financial records in the offices and divisions of the  
14 county, suitable to the needs of the office and in  
15 accordance with generally accepted principles of  
16 accounting for governmental bodies, which system may  
17 include such reports as the county board may determine.

18 17. To purchase and hold real estate for the  
19 construction and maintenance of motor vehicle parking  
20 facilities for persons using county buildings, but the  
21 purchase and use of such real estate shall not be for  
22 revenue producing purposes.

23 18. To acquire and hold title to real property located  
24 within the county, or partly within and partly outside the  
25 county by dedication, purchase, gift, legacy or lease, for  
26 park and recreational purposes and to charge reasonable

1 fees for the use of or admission to any such park or  
2 recreational area and to provide police protection for such  
3 park or recreational area. Personnel employed to provide  
4 such police protection shall be conservators of the peace  
5 within such park or recreational area and shall have power  
6 to make arrests on view of the offense or upon warrants for  
7 violation of any of the ordinances governing such park or  
8 recreational area or for any breach of the peace in the  
9 same manner as the police in municipalities organized and  
10 existing under the general laws of the State. All such real  
11 property outside the county shall be contiguous to the  
12 county and within the boundaries of the State of Illinois.

13 19. To appropriate funds from the county treasury to be  
14 used to provide supportive social services designed to  
15 prevent the unnecessary institutionalization of elderly  
16 residents, or, for operation of, and equipment for, senior  
17 citizen centers providing social services to elderly  
18 residents.

19 20. To appropriate funds from the county treasury and  
20 loan such funds to a county water commission created under  
21 the "Water Commission Act", approved June 30, 1984, as now  
22 or hereafter amended, in such amounts and upon such terms  
23 as the county may determine or the county and the  
24 commission may agree. The county shall not under any  
25 circumstances be obligated to make such loans. The county  
26 shall not be required to charge interest on any such loans.

1           21. To appropriate and expend funds from the county  
2 treasury for economic development purposes, including the  
3 making of grants to any other governmental entity or  
4 commercial enterprise deemed necessary or desirable for  
5 the promotion of economic development in the county.

6           22. To lease space on a telecommunications tower to a  
7 public or private entity.

8           23. In counties having a population of 100,000 or less  
9 and a public building commission organized by the county  
10 seat of the county, to cause to be erected or otherwise  
11 provided, and to maintain or cause to be maintained,  
12 suitable facilities to house students pursuing a  
13 post-secondary education at an academic institution  
14 located within the county. The county may provide for the  
15 management of the facilities.

16           All contracts for the purchase of coal under this Section  
17 shall be subject to the provisions of "An Act concerning the  
18 use of Illinois mined coal in certain plants and institutions",  
19 filed July 13, 1937, as amended.

20           (Source: P.A. 95-197, eff. 8-16-07; 95-813, eff. 1-1-09;  
21 96-622, eff. 8-24-09.)