



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB3385

by Rep. Linda Chapa LaVia

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-26005	from Ch. 34, par. 5-26005
60 ILCS 1/160-5	
65 ILCS 5/11-116-2	from Ch. 24, par. 11-116-2
70 ILCS 1205/10-4	from Ch. 105, par. 10-4

Amends the Counties Code. Provides that it shall be lawful for the county board to appropriate funds to maintain a memorial within the county. Amends the Township Code. Provides that the township shall provide for the maintenance of a monument or memorial erected pursuant to a vote by voters of the township. Amends the Illinois Municipal Code. Provides that the corporate authorities of a municipality shall levy and collect taxes, as necessary, for the maintenance of memorials erected in that municipality pursuant to a majority vote. Amends the Park District Act. Provides that any memorial built on leased land within a park district must be maintained by the organization that leased the land. Effective immediately.

LRB098 06236 OMW 36277 b

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 5-26005 as follows:

6 (55 ILCS 5/5-26005) (from Ch. 34, par. 5-26005)

7 Sec. 5-26005. Maintenance. Whenever any memorial building
8 is erected through private subscriptions, as herein provided,
9 or any veterans' memorial is erected, it shall be lawful for
10 the county board or board of county commissioners, as the case
11 may be, to appropriate such sums of money from year to year as
12 it may deem reasonable and proper to cover any deficiency in
13 the cost of the maintenance thereof.

14 (Source: P.A. 86-962.)

15 Section 10. The Township Code is amended by changing
16 Section 160-5 as follows:

17 (60 ILCS 1/160-5)

18 Sec. 160-5. Township monuments; petition and referendum.

19 (a) Upon the petition of 100 or more legal voters of a
20 township being filed with the township clerk praying that the
21 proposition of erecting or completing a monument or memorial in

1 honor of its soldiers and sailors or other notable persons
2 buried in the township be submitted to the voters of the
3 township at an election, the township clerk shall certify the
4 proposition to the proper election officials, who shall submit
5 the proposition to the voters of the township at an election in
6 accordance with the general election law.

7 (b) The form of the proposition shall be substantially as
8 follows:

9 Shall a monument or memorial be erected in honor of
10 (the soldiers and sailors of the township or other notable
11 person)?

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

13 (c) If a majority of all the votes cast upon the
14 proposition are in favor of it, the township supervisor,
15 township clerk, and township treasurer, within one year after
16 the election, shall purchase or procure a site and erect the
17 monument or memorial.

18 (d) Provisions for the payment and maintenance for the
19 monument or memorial shall be made by the proper taxing and
20 financial officers in the same manner as for other township
21 expenditures.

22 (Source: P.A. 81-1489; 88-62.)

23 Section 15. The Illinois Municipal Code is amended by
24 changing Section 11-116-2 as follows:

1 (65 ILCS 5/11-116-2) (from Ch. 24, par. 11-116-2)
 2 Sec. 11-116-2. When the petition specified in this Division
 3 116 is filed with the municipal clerk of a municipality
 4 specified in this Division 116, the question of erecting a
 5 monument or memorial shall be certified by the clerk and
 6 submitted to the electors of the municipality. The question
 7 shall be in substantially the following form:

8 -----
 9 Shall a monument (or memorial
 10 be erected in honor of YES
 11 (insert for whom to be -----
 12 erected) by (insert
 13 name of the municipality) at a NO
 14 cost not to exceed \$....?
 15 -----

16 If a majority of those voting on the question vote yes, the
 17 corporate authorities shall have the monument or memorial
 18 erected and, if necessary, shall levy and collect, in the same
 19 manner as other general taxes are levied and collected, a tax
 20 sufficient to raise the amount specified in the petition, and
 21 to provide for the maintenance of the memorial.

22 (Source: P.A. 81-1489.)

23 Section 20. The Park District Code is amended by changing
 24 Section 10-4 as follows:

1 (70 ILCS 1205/10-4) (from Ch. 105, par. 10-4)

2 Sec. 10-4. Any park district shall have the power to
3 acquire by gift, grant or purchase, real estate and lands for
4 use as a site for an armory and to convey, sell, donate, lease
5 or rent real estate or lands so acquired and any real estate or
6 lands now owned by such park district to the State of Illinois
7 or to any proper agency thereof for use as a site for an
8 armory, but the park district shall have no power to divert any
9 gift, grant or legacy from the specific purpose designated by
10 the donor.

11 Such district shall have power to acquire by lease or
12 permit the right to occupy and use real estate, land and
13 riparian estates for park and playground purposes and to
14 improve, maintain and equip the same as a park or playground,
15 and to place permanent buildings and structures thereon.

16 Such district may by ordinance lease, for any period not
17 exceeding 99 years, any tract or parcel of land of the park
18 district to any organization incorporated under the laws of
19 this State as a corporation not for pecuniary profit, as a site
20 for a memorial to the military and naval forces of this State
21 and of the United States, provided that such organization shall
22 be responsible for the maintenance of the memorial.

23 (Source: P.A. 83-388.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.