



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB3693

by Rep. Jay Hoffman

#### SYNOPSIS AS INTRODUCED:

35 ILCS 200/3-70  
60 ILCS 1/Art. 27 heading  
60 ILCS 1/Art. 28 heading new  
60 ILCS 1/28-5 new  
60 ILCS 1/28-10 new  
60 ILCS 1/28-15 new  
60 ILCS 1/28-20 new  
70 ILCS 905/25  
305 ILCS 5/12-3.1  
605 ILCS 5/5-205.10

Amends the Township Code. Provides that certain townships that are: (1) within a coterminous, or substantially coterminous, municipality; (2) in a county with a population of 270,000 or more; and (3) 23 square miles or more may adopt an ordinance to discontinue and abolish the township organization and transfer all the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of the township to the coterminous municipality. Further provides for procedures for the retention of township records and the disposition of any of the property belonging to the township. Amends the Property Tax Code, the Public Health District Act, the Illinois Public Aid Code, and the Illinois Highway Code making conforming changes. Effective immediately.

LRB099 11128 AWJ 31575 b

FISCAL 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 Property Tax Code is amended by changing  
5 Section 3-70 as follows:

6 (35 ILCS 200/3-70)

7 Sec. 3-70. Cessation of Township Assessor. If the office of  
8 Township Assessor in a coterminous township ceases as provided  
9 in Articles Article 27 and 28 of the Township Code, then the  
10 coterminous municipality shall assume the duties of the  
11 Township Assessor under this Code.

12 (Source: P.A. 98-127, eff. 8-2-13.)

13 Section 10. The Township Code is amended by changing the  
14 heading of Article 27 and by adding Article 28 as follows:

15 (60 ILCS 1/Art. 27 heading)

16 ARTICLE 27. DISCONTINUANCE OF TOWNSHIP  
17 ORGANIZATION WITHIN COTERMINOUS MUNICIPALITY:  
18 COUNTY POPULATION OF 3 MILLION OR MORE

19 (Source: P.A. 98-127, eff. 8-2-13.)

20 (60 ILCS 1/Art. 28 heading new)

1                   ARTICLE 28. DISCONTINUANCE OF TOWNSHIP

2                           ORGANIZATION WITHIN COTERMINOUS

3                           MUNICIPALITY: SPECIFIED TOWNSHIPS

4                   (60 ILCS 1/28-5 new)

5                   Sec. 28-5. Applicability. This Article shall apply only to  
6 a township that: (1) is within a coterminous, or substantially  
7 coterminous, municipality, (2) is located within a county with  
8 a population of 270,000 or more determined using the most  
9 recent federal decennial census, and (3) contains a territory  
10 of 23 square miles or more.

11                   (60 ILCS 1/28-10 new)

12                   Sec. 28-10. Ordinance to discontinue and abolish a township  
13 organization within a coterminous municipality; cessation of  
14 township organization.

15                   (a) The township board of a township described under  
16 Section 28-5 of this Article may adopt an ordinance, with a  
17 majority of the votes of the township board, providing that,  
18 upon the approval of a coterminous, or substantially  
19 coterminous, municipality's corporate authorities, (1) that  
20 the township organization shall discontinue and be abolished;  
21 and (2) that the township shall transfer all the rights,  
22 powers, duties, assets, property, liabilities, obligations,  
23 and responsibilities of the township organization to the  
24 coterminous, or substantially coterminous, municipality. The

1 corporate authorities of the coterminous, or substantially  
2 coterminous, municipality shall adopt an ordinance by a  
3 majority vote approving such transfer to the municipality.

4 (b) On the later date of either the (i) approval of an  
5 ordinance by a municipality under subsection (a) of this  
6 Section, or (ii) expiration of the township officers' terms  
7 after passing an ordinance under subsection (a) of this  
8 Section, the township is discontinued and abolished and all the  
9 rights, powers, duties, assets, property, liabilities,  
10 obligations, and responsibilities of the township shall by  
11 operation of law vest in and be assumed by the municipality,  
12 including the authority to levy property taxes for township  
13 purposes in the same manner as the dissolved township.

14 (60 ILCS 1/28-15 new)

15 Sec. 28-15. Coterminous municipality's duties and  
16 responsibilities. Upon the effective date of discontinuance  
17 and abolishment of the township organization, the coterminous  
18 municipality shall exercise all duties and responsibilities of  
19 the township officers as provided in the Township Code, the  
20 Illinois Public Aid Code, the Property Tax Code, and the  
21 Illinois Highway Code, as applicable. The coterminous  
22 municipality may enter into an intergovernmental agreement or  
23 contract with the county or the State to administer the duties  
24 and responsibilities of the township officers for services  
25 under its jurisdiction.

1 (60 ILCS 1/28-20 new)

2 Sec. 28-20. Business, records, and property of  
3 discontinued township organization. The records of a township  
4 organization discontinued under this Article shall be  
5 deposited in the coterminous municipality's city clerk's  
6 office. The coterminous municipality may close up all  
7 unfinished business of the township and sell and dispose of any  
8 of the property belonging to the township for benefit of the  
9 inhabitants of the coterminous municipality.

10 Section 15. The Public Health District Act is amended by  
11 changing Section 25 as follows:

12 (70 ILCS 905/25)

13 Sec. 25. Discontinuance of a coterminous township. If the  
14 office of Township Assessor in a coterminous township is  
15 discontinued as provided in Articles ~~Article~~ 27 and 28 of the  
16 Township Code, then the coterminous municipality's Council  
17 members shall be the board of health for the public health  
18 district under this Act.

19 (Source: P.A. 98-127, eff. 8-2-13.)

20 Section 20. The Illinois Public Aid Code is amended by  
21 changing Section 12-3.1 as follows:

1 (305 ILCS 5/12-3.1)

2 Sec. 12-3.1. Discontinuance of a coterminous township.

3 Upon discontinuance of a coterminous township under Articles  
4 ~~Article~~ 27 and 28 of the Township Code, the coterminous  
5 municipality shall provide funds for and administer the public  
6 aid program provided for under Article VI of this Code.

7 (Source: P.A. 98-127, eff. 8-2-13.)

8 Section 25. The Illinois Highway Code is amended by  
9 changing Section 5-205.10 as follows:

10 (605 ILCS 5/5-205.10)

11 Sec. 5-205.10. Discontinuance of a coterminous township.

12 If township organization is discontinued as provided in  
13 Articles ~~Article~~ 27 and 28 of the Township Code, then the  
14 coterminous municipality shall assume the duties of highway  
15 commissioner under this Code.

16 (Source: P.A. 98-127, eff. 8-2-13.)

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law.