



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB6272

Introduced 2/11/2016, by Rep. Jim Durkin

SYNOPSIS AS INTRODUCED:

70 ILCS 1005/11	from Ch. 111 1/2, par. 84
70 ILCS 2405/30.5 new	
70 ILCS 2405/31	from Ch. 42, par. 317m
70 ILCS 2805/35.5 new	
70 ILCS 2805/36	from Ch. 42, par. 447
70 ILCS 3720/2.1 rep.	

Amends the following Acts to provide that, upon a majority vote of the boards of the districts in favor of the proposition to annex or consolidate, and if the governing authorities of the governmental unit assuming the functions of the former entity agree by resolution to accept the functions and jurisdiction over the territory of the consolidated or annexed entity, then that entity shall cease: Mosquito Abatement District Act, the Sanitary District Act of 1917, and the Sanitary District Act of 1936. Provides that on the effective date of the annexation or consolidation, all of the rights, powers, duties, assets, liabilities, indebtedness, obligations, bonding authority, taxing authority, and responsibilities of the entity shall vest in and be assumed by the governmental unit assuming the former entity's functions. Provides that the rights of the employees of the former district is consolidated into the other governmental unit. Deletes reference to a similar Section in the Water Commission Act of 1985. Effective immediately.

LRB099 20540 AWJ 45085 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

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 Mosquito Abatement District Act is amended
5 by changing Section 11 as follows:

6 (70 ILCS 1005/11) (from Ch. 111 1/2, par. 84)

7 Sec. 11. Cessation of district organization. Any mosquito
8 abatement district organized under the provisions of this Act
9 may be dissolved and discontinued:

10 (a) upon like petition, hearing and election as is provided
11 in this Act for the organization of such district. If a
12 majority of the votes cast on the question at such election are
13 in favor of such dissolution, the court shall enter an order of
14 record in the court dissolving such district. The trustees of
15 such mosquito abatement district shall immediately proceed to
16 wind up the affairs of such district and shall have the same
17 powers as before dissolution to levy taxes for the purpose of
18 paying the debts, obligations and liabilities of such mosquito
19 abatement district outstanding on the date of such dissolution
20 and the necessary expenses of closing up the affairs of such
21 district. All property of such district shall be sold and in
22 case any excess remains after all liabilities of such district
23 are paid such excess shall be paid to the various common school

1 districts located in such mosquito abatement district ratably
2 in the proportion that the taxable value of all the property in
3 each of the school districts bears to the taxable value of all
4 the property in the mosquito abatement district; or

5 (b) notwithstanding any other provision of law, if a
6 majority vote of the board of trustees is in favor of the
7 proposition to annex the district to another district whose
8 boundaries are contiguous, or consolidate the district into a
9 municipality with which the district is coterminous or
10 substantially coterminous, or consolidate the district into
11 the county or township in which the district sits, and if the
12 governing authorities of the governmental unit assuming the
13 functions of the former district agree by resolution to accept
14 the functions (and jurisdiction over the territory, if
15 applicable) of the consolidated or annexed district, then the
16 district shall cease. On the effective date of the annexation
17 or consolidation, all the rights, powers, duties, assets,
18 property, liabilities, indebtedness, obligations, bonding
19 authority, taxing authority, and responsibilities of the
20 district shall vest in and be assumed by the governmental unit
21 assuming the functions of the former district.

22 The employees of the former district shall be transferred
23 to the governmental unit assuming the functions of the former
24 district. The governmental unit assuming the functions of the
25 former district shall exercise the rights and responsibilities
26 of the former district with respect to those employees. The

1 status and rights of the employees of the former district under
2 any applicable contracts or collective bargaining agreements,
3 historical representation rights under the Illinois Public
4 Labor Relations Act, or under any pension, retirement, or
5 annuity plan shall not be affected by this amendatory Act of
6 the 99th General Assembly.

7 (Source: P.A. 83-343.)

8 Section 10. The Sanitary District Act of 1917 is amended by
9 changing Section 31 and by adding Section 30.5 as follows:

10 (70 ILCS 2405/30.5 new)

11 Sec. 30.5. Cessation of district organization.
12 Notwithstanding any other provision of law, if a majority vote
13 of the board of trustees is in favor of the proposition to
14 annex the district to another district whose boundaries are
15 contiguous, or consolidate the district into a municipality
16 with which the district is coterminous or substantially
17 coterminous, or consolidate the district into the county or
18 township in which the district sits, and if the governing
19 authorities of the governmental unit assuming the functions of
20 the former district agree by resolution to accept the functions
21 (and jurisdiction over the territory, if applicable) of the
22 consolidated or annexed district, then the district shall
23 cease. On the effective date of the annexation or
24 consolidation, all the rights, powers, duties, assets,

1 property, liabilities, indebtedness, obligations, bonding
2 authority, taxing authority, and responsibilities of the
3 district shall vest in and be assumed by the governmental unit
4 assuming the functions of the former district.

5 The employees of the former district shall be transferred
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7 district. The governmental unit assuming the functions of the
8 former district shall exercise the rights and responsibilities
9 of the former district with respect to those employees. The
10 status and rights of the employees of the former district under
11 any applicable contracts or collective bargaining agreements,
12 historical representation rights under the Illinois Public
13 Labor Relations Act, or under any pension, retirement, or
14 annuity plan shall not be affected by this amendatory Act of
15 the 99th General Assembly.

16 (70 ILCS 2405/31) (from Ch. 42, par. 317m)

17 Sec. 31. All courts shall take judicial notice of the
18 dissolution or cessation of such sanitary districts.

19 (Source: P.A. 85-986.)

20 Section 15. The Sanitary District Act of 1936 is amended by
21 changing Section 36 and by adding Section 35.5 as follows:

22 (70 ILCS 2805/35.5 new)

23 Sec. 35.5. Cessation of district organization.

1 Notwithstanding any other provision of law, if a majority vote
2 of the board of trustees is in favor of the proposition to
3 annex the district to another district whose boundaries are
4 contiguous, or consolidate the district into a municipality
5 with which the district is coterminous or substantially
6 coterminous, or consolidate the district into the county or
7 township in which the district sits, and if the governing
8 authorities of the governmental unit assuming the functions of
9 the former district agree by resolution to accept the functions
10 (and jurisdiction over the territory, if applicable) of the
11 consolidated or annexed district, then the district shall
12 cease. On the effective date of the annexation or
13 consolidation, all the rights, powers, duties, assets,
14 property, liabilities, indebtedness, obligations, bonding
15 authority, taxing authority, and responsibilities of the
16 district shall vest in and be assumed by the governmental unit
17 assuming the functions of the former district.

18 The employees of the former district shall be transferred
19 to the governmental unit assuming the functions of the former
20 district. The governmental unit assuming the functions of the
21 former district shall exercise the rights and responsibilities
22 of the former district with respect to those employees. The
23 status and rights of the employees of the former district under
24 any applicable contracts or collective bargaining agreements,
25 historical representation rights under the Illinois Public
26 Labor Relations Act, or under any pension, retirement, or

1 annuity plan shall not be affected by this amendatory Act of
2 the 99th General Assembly.

3 (70 ILCS 2805/36) (from Ch. 42, par. 447)

4 Sec. 36. All courts shall take judicial notice of the
5 dissolution or cessation of such sanitary districts.

6 (Source: Laws 1957, p. 349.)

7 (70 ILCS 3720/2.1 rep.)

8 Section 20. The Water Commission Act of 1985 is amended by
9 repealing Section 2.1.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.