



Sen. Julie A. Morrison

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LRB099 03117 MJP 47397 a

1 AMENDMENT TO SENATE BILL 389

2 AMENDMENT NO. _____. Amend Senate Bill 389 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Township Code is amended by changing
5 Section 10-25 as follows:

6 (60 ILCS 1/10-25)

7 Sec. 10-25. Plan for changes in townships.

8 (a) The county board of each county may, subject to a
9 referendum in the townships affected as provided in this
10 Section, adopt a plan for altering the boundaries of townships,
11 changing township lines, dividing, enlarging, or consolidating
12 townships, or creating new townships, so that each township
13 shall possess an equalized assessed valuation of not less than
14 \$10,000,000 as of the 1982 assessment year ~~or an area of not~~
15 ~~more than 126 square miles.~~

16 (b) No alteration or change in boundaries shall be

1 effective unless approved by a referendum in each township
2 affected. The election authority shall submit to the voters of
3 each township affected, at a regular election to be held not
4 less than 60 days after the plan is adopted, the question of
5 approving the alteration or change. The alterations or changes,
6 if approved by the voters, shall take effect on the date of the
7 next township election and shall be applicable to that
8 election. If there is doubt as to the township clerk with whom
9 nomination papers for that election should be filed, the county
10 board shall designate the clerk. In the alteration of
11 boundaries, a county board may not disturb urban or coterminous
12 townships in existence on October 1, 1978.

13 (Source: P.A. 84-1308; 88-62.)

14 Section 10. The Illinois Drainage Code is amended by adding
15 Section 10-12 as follows:

16 (70 ILCS 605/10-12 new)

17 Sec. 10-12. Dissolution in specified counties.
18 Notwithstanding any provision of law to the contrary, and in
19 counties with a population of more than 500,000 and less than
20 3,000,000:

21 (a) If a drainage district is located wholly within a
22 county and the county appoints the commissioners to the board
23 of the drainage district, then the county board of that county
24 may, by resolution after a public hearing, dissolve the

1 drainage district. No resolution to dissolve a drainage
2 district shall be adopted without the county board (1) causing
3 to be published notice of the public hearing including the
4 proposed resolution in a newspaper of general circulation in
5 the drainage district at least 30 days prior to the hearing and
6 (2) sending a notice by mail of the public hearing and the
7 proposed resolution to all known landowners and residents of
8 the drainage district at least 30 days prior to the hearing.
9 Ninety days after the adoption of a resolution under this
10 subsection (a): the drainage district is dissolved and all
11 rights, powers, duties, assets, and property, together with all
12 personnel, contractual obligations, other obligations,
13 responsibilities, and liabilities of the dissolved drainage
14 district shall vest in and be assumed by the county; all
15 commissioners of a dissolved drainage district shall cease to
16 hold office; the county board shall assume all taxing authority
17 of the dissolved drainage district; and the county board shall
18 assume all functions of the dissolved drainage district's board
19 and commissioners.

20 (b) If a drainage district is located in more than one
21 county and a county appoints a majority of commissioners to the
22 board of the drainage district, then the county board of that
23 county may, by resolution after a public hearing, dissolve the
24 drainage district if an intergovernmental agreement under the
25 Intergovernmental Cooperation Act has been entered into by all
26 counties in which any portion of the drainage district is

1 located. No resolution to dissolve a drainage district shall be
2 adopted without the county board (1) causing to be published
3 notice of the public hearing including the proposed resolution
4 in a newspaper of general circulation in the drainage district
5 at least 30 days prior to the hearing and (2) sending a notice
6 by mail of the public hearing and the proposed resolution to
7 all known landowners and residents of the drainage district at
8 least 30 days prior to the hearing. Ninety days after the
9 adoption of a resolution under this subsection (b): the
10 drainage district is dissolved and all rights, powers, duties,
11 assets, and property, together with all personnel, contractual
12 obligations, other obligations, responsibilities, and
13 liabilities of the drainage district shall vest in and be
14 assumed by the county passing the resolution; all commissioners
15 of the dissolved drainage district shall cease to hold office;
16 the county board of the county passing the resolution shall
17 assume all taxing authority of the dissolved drainage district;
18 and the county board of the county passing the resolution shall
19 assume all functions of the dissolved drainage district's board
20 and commissioners.

21 Section 15. The Illinois Highway Code is amended by
22 changing Section 6-130 and by adding Section 6-130.5 as
23 follows:

24 (605 ILCS 5/6-130) (from Ch. 121, par. 6-130)

1 Sec. 6-130. Mandatory and permissive road district
2 abolishment.

3 (a) Notwithstanding any other provision of this Act to the
4 contrary, no township road district may continue in existence
5 if the roads forming a part of the district do not exceed a
6 total of 4 miles in length as determined by the county engineer
7 or county superintendent of highways. For purposes of this
8 Section, the roads forming a part of a township road district
9 include those roads maintained by the district, regardless of
10 whether or not those roads are owned by the township. On the
11 first Tuesday in April of 1975, or of any subsequent year next
12 succeeding the reduction of a township road system to a total
13 mileage of 4 miles or less, each such township road district
14 shall, by operation of law, be abolished. The roads comprising
15 that district at that time shall thereafter be administered by
16 the township board of trustees by contracting with the county,
17 a municipality or a private contractor. The township board of
18 trustees shall assume all taxing authority of a township road
19 district abolished under this Section.

20 (b) Notwithstanding any provision of law to the contrary, a
21 township road district may be abolished as provided in Section
22 6-130.5 of this Act, if the roads forming part of the district
23 are less than a total of 15 miles in length.

24 (Source: P.A. 94-884, eff. 6-20-06.)

1 Sec. 6-130.5. Abolishing a road district with less than 15
2 miles of roads.

3 (a) Any township may abolish a road district of that
4 township if the roads of the district of that township are less
5 than 15 miles in length, as determined by the county engineer
6 or county superintendent of highways, by resolution of a
7 majority of the board of trustees to submit a referendum to
8 abolish the road district of that township. The referendum
9 shall be submitted to the electors of that township at the next
10 general election or consolidated election in accordance with
11 the general election law. The ballot shall be in substantially
12 the following form:

13 -----
14 Shall the Road District of the Township of
15 be abolished with all the rights,
16 powers, duties, assets, property, liabilities, YES
17 obligations, and responsibilities being assumed -----
18 by the Township of ? NO
19 ----- .

20 (b) If a majority of the electors voting on the referendum
21 under subsection (a) of this Section are in favor of abolishing
22 the township road district, then the road district is abolished
23 on the January 1 following the approval of the resolution or
24 referendum.

25 On the date of abolishment: all the rights, powers, duties,
26 assets, property, liabilities, obligations, and

1 responsibilities of the road district shall by operation of law
2 vest in and be assumed by the township; the township board of
3 trustees shall assume all taxing authority of a road district
4 abolished under this Section; any highway commissioner of the
5 abolished road district shall cease to hold office; the
6 township shall exercise all duties and responsibilities of the
7 highway commissioner as provided in the Illinois Highway Code;
8 and for purposes of distribution of revenue, the township shall
9 assume the powers, duties, and obligations of the road
10 district. The township board of trustees may enter into a
11 contract with the county, a municipality, or a private
12 contractor to administer the roads added to its jurisdiction
13 under this Section.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.".