

SB1746



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB1746

Introduced 2/20/2015, by Sen. Pamela J. Althoff

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-1005

from Ch. 34, par. 5-1005

Amends the Counties Code. Provides that counties may make contracts of up to 4 years in duration. Contracts that are 4 years in duration must contain a provision allowing the county board to terminate the contract by majority vote within 120 days of a new county board member being sworn into office. Effective immediately.

LRB099 08056 AWJ 28201 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 hold the real and personal estate
9 necessary for the uses of the county, and to purchase and
10 hold, for the benefit of the county, real estate sold by
11 virtue of judicial proceedings in which the county is
12 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 3.5. To make contracts of up to 4 years in duration.
19 Contracts that are 4 years in duration must contain a
20 provision allowing the county board to terminate the
21 contract by majority vote within 120 days of a new county
22 board member being sworn into office.

23 4. To take all necessary measures and institute

1 proceedings to enforce all laws for the prevention of
2 cruelty to animals.

3 5. To purchase and hold or lease real estate upon which
4 may be erected and maintained buildings to be utilized for
5 purposes of agricultural experiments and to purchase, hold
6 and use personal property for the care and maintenance of
7 such real estate in connection with such experimental
8 purposes.

9 6. To cause to be erected, or otherwise provided,
10 suitable buildings for, and maintain a county hospital and
11 necessary branch hospitals and/or a county sheltered care
12 home or county nursing home for the care of such sick,
13 chronically ill or infirm persons as may by law be proper
14 charges upon the county, or upon other governmental units,
15 and to provide for the management of the same. The county
16 board may establish rates to be paid by persons seeking
17 care and treatment in such hospital or home in accordance
18 with their financial ability to meet such charges, either
19 personally or through a hospital plan or hospital
20 insurance, and the rates to be paid by governmental units,
21 including the State, for the care of sick, chronically ill
22 or infirm persons admitted therein upon the request of such
23 governmental units. Any hospital maintained by a county
24 under this Section is authorized to provide any service and
25 enter into any contract or other arrangement not prohibited
26 for a hospital that is licensed under the Hospital

1 Licensing Act, incorporated under the General
2 Not-For-Profit Corporation Act, and exempt from taxation
3 under paragraph (3) of subsection (c) of Section 501 of the
4 Internal Revenue Code.

5 7. To contribute such sums of money toward erecting,
6 building, maintaining, and supporting any non-sectarian
7 public hospital located within its limits as the county
8 board of the county shall deem proper.

9 8. To purchase and hold real estate for the
10 preservation of forests, prairies and other natural areas
11 and to maintain and regulate the use thereof.

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

16 10. To appropriate funds from the county treasury to be
17 used in any manner to be determined by the board for the
18 suppression, eradication and control of tuberculosis among
19 domestic cattle in such county.

20 11. To take all necessary measures to prevent forest
21 fires and encourage the maintenance and planting of trees
22 and the preservation of forests.

23 12. To authorize the closing on Saturday mornings of
24 all offices of all county officers at the county seat of
25 each county, and to otherwise regulate and fix the days and
26 the hours of opening and closing of such offices, except

1 when the days and the hours of opening and closing of the
2 office of any county officer are otherwise fixed by law;
3 but the power herein conferred shall not apply to the
4 office of State's Attorney and the offices of judges and
5 clerks of courts and, in counties of 500,000 or more
6 population, the offices of county clerk.

7 13. To provide for the conservation, preservation and
8 propagation of insectivorous birds through the expenditure
9 of funds provided for such purpose.

10 14. To appropriate funds from the county treasury and
11 expend the same for care and treatment of tuberculosis
12 residents.

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

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

23 17. To purchase and hold real estate for the
24 construction and maintenance of motor vehicle parking
25 facilities for persons using county buildings, but the
26 purchase and use of such real estate shall not be for

1 revenue producing purposes.

2 18. To acquire and hold title to real property located
3 within the county, or partly within and partly outside the
4 county by dedication, purchase, gift, legacy or lease, for
5 park and recreational purposes and to charge reasonable
6 fees for the use of or admission to any such park or
7 recreational area and to provide police protection for such
8 park or recreational area. Personnel employed to provide
9 such police protection shall be conservators of the peace
10 within such park or recreational area and shall have power
11 to make arrests on view of the offense or upon warrants for
12 violation of any of the ordinances governing such park or
13 recreational area or for any breach of the peace in the
14 same manner as the police in municipalities organized and
15 existing under the general laws of the State. All such real
16 property outside the county shall be contiguous to the
17 county and within the boundaries of the State of Illinois.

18 19. To appropriate funds from the county treasury to be
19 used to provide supportive social services designed to
20 prevent the unnecessary institutionalization of elderly
21 residents, or, for operation of, and equipment for, senior
22 citizen centers providing social services to elderly
23 residents.

24 20. To appropriate funds from the county treasury and
25 loan such funds to a county water commission created under
26 the "Water Commission Act", approved June 30, 1984, as now

1 or hereafter amended, in such amounts and upon such terms
2 as the county may determine or the county and the
3 commission may agree. The county shall not under any
4 circumstances be obligated to make such loans. The county
5 shall not be required to charge interest on any such loans.

6 21. To appropriate and expend funds from the county
7 treasury for economic development purposes, including the
8 making of grants to any other governmental entity or
9 commercial enterprise deemed necessary or desirable for
10 the promotion of economic development in the county.

11 22. To lease space on a telecommunications tower to a
12 public or private entity.

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

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

25 (Source: P.A. 95-197, eff. 8-16-07; 95-813, eff. 1-1-09;
26 96-622, eff. 8-24-09.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.