

1 AN ACT concerning townships.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Township Code is amended by changing
5 Sections 35-55, 85-10, 140-5, 240-5, and 245-5 as follows:

6 (60 ILCS 1/35-55)

7 Sec. 35-55. Senior citizens services; authorization of
8 tax levy.

9 (a) The electors may authorize the township board to
10 levy a tax (at a rate of not more than 0.15% of the value, as
11 equalized and assessed by the Department of Revenue, of all
12 taxable property in the township) for the sole and exclusive
13 purpose of providing services to senior citizens under
14 Article 220 including, but not limited to, the construction,
15 maintenance, repair, and operation of a senior citizens
16 center 270. If the board desires to levy the tax, it shall
17 order a referendum on the proposition to be held at an
18 election in accordance with the general election law. The
19 board shall certify the proposition to the proper election
20 officials, who shall submit the proposition to the voters at
21 an election in accordance with the general election law. If a
22 majority of the votes cast on the proposition is in favor of
23 the proposition, the board may annually levy the tax in
24 addition to any other taxes set forth in Article 235 of this
25 Act, but subject to the extension limitations in the Property
26 Tax Extension Limitation Law of the Property Tax Code.

27 (b) If the township board of any township authorized to
28 levy a tax under this Section pursuant to a referendum held
29 before January 1, 1987, desires to increase the maximum rate
30 of the tax to 0.15% of the value, as equalized and assessed
31 by the Department of Revenue, of all taxable property in the

1 township, it shall order a referendum on that proposition to
 2 be held at an election in accordance with the general
 3 election law. The board shall certify the proposition to the
 4 proper election officials, who shall submit the proposition
 5 to the voters at an election in accordance with the general
 6 election law. If a majority of the votes cast on the
 7 proposition is in favor of the proposition, the maximum tax
 8 rate shall be so increased.

9 (Source: P.A. 85-742; 88-62; revised 12-13-01.)

10 (60 ILCS 1/85-10)

11 Sec. 85-10. Township corporate powers.

12 (a) Every township has the corporate capacity to
 13 exercise the powers granted to it, or necessarily implied,
 14 and no others. Every township has the powers specified in
 15 this Section.

16 (b) A township may sue and be sued.

17 (c) A township may acquire (by purchase, gift, or
 18 legacy) and hold property, both real and personal, for the
 19 use of its inhabitants and may sell and convey that property.
 20 A township may purchase any real estate or personal property
 21 for public purposes under contracts providing for payment in
 22 installments over a period of time of not more than 20 years
 23 in the case of real estate and not more than 10 years in the
 24 case of personal property. A township may finance the
 25 purchase of any real estate or personal property for public
 26 purpose under finance contracts providing for payment in
 27 installments over a period of time of not more than 20 years
 28 in the case of real estate and not more than 10 years in the
 29 case of personal property. A township may construct a
 30 township hall under contracts providing for payment over a
 31 period of time of not more than 10 5 years. The interest on
 32 the unpaid balance shall not exceed that permitted in the
 33 Bond Authorization Act.

1 (d) A township may make all contracts necessary in the
2 exercise of the township's powers.

3 (e) A township may expend or contract for the
4 expenditure of any federal funds made available to the
5 township by law for any purpose for which taxes imposed upon
6 township property or property within the township may be
7 expended.

8 (f) A township may acquire (singly or jointly with a
9 municipality or municipalities) land or any interest in land
10 located within its township limits. The township may acquire
11 the land or interest by gift, purchase, or otherwise, but not
12 by condemnation. A township may (singly or jointly) improve
13 or arrange for the improvement of the land for industrial or
14 commercial purposes and may donate and convey the land or
15 interest in land so acquired and so improved to the Illinois
16 Development Finance Authority.

17 (g) (Blank)

18 (h) It is the policy of this State that all powers
19 granted either expressly or by necessary implication by this
20 Code, any other Illinois statute, or the Illinois
21 Constitution to townships may be exercised by those townships
22 notwithstanding effects on competition. It is the intention
23 of the General Assembly that the "State action exemption" to
24 the application of federal antitrust statutes be fully
25 available to townships to the extent their activities are
26 authorized by law as stated in this Code.

27 (i) A township may receive funds under the federal
28 Housing and Community Development Act of 1974 and may expend
29 or contract for the expenditure of those funds and other
30 township funds for the activities specified in Section 105 of
31 that Act. The powers granted under this subsection (i) are
32 in addition to powers otherwise possessed by a township and
33 shall not be construed as a limitation of those other powers.

34 (j) A township may establish reasonable fees for

1 recreation and instructional programs sponsored by the
2 township.

3 (Source: P.A. 88-62; incorporates 88-356 and 88-360; 88-670,
4 eff. 12-2-94; 89-331, eff. 8-17-95.)

5 (60 ILCS 1/140-5)

6 Sec. 140-5. Petition and referendum for township hall.

7 (a) Whenever it is desired to build, purchase, or lease,
8 for a longer period than 10 5 years, a township hall, a
9 multi-purpose senior center, or a combined township hall and
10 multi-purpose senior center in any township, at least 25
11 electors of the township may, before the time of giving
12 notice of the annual township meeting, file with the township
13 clerk a petition in writing that the proposition of building,
14 purchasing, or leasing a township hall, a multi-purpose
15 senior center, or a combination township hall and
16 multi-purpose senior center and issuing bonds for the
17 building, purchase, or lease be submitted to the voters of
18 the township at the next ensuing general election. The
19 proposition shall be clearly stated in the petition
20 substantially as follows: "Shall (name of township) borrow
21 \$(amount) to (build, purchase, or lease) a (township hall,
22 multi-purpose senior center, or combination multi-purpose
23 township hall and senior center) and issue bonds for the
24 (building, purchase, or lease)?" The petition shall be filed
25 in the office of the township clerk.

26 (b) The township clerk shall certify the proposition to
27 the proper election officials, who shall submit the
28 proposition to the legal voters of the township at an
29 election in accordance with the general election law. The
30 form of the proposition shall be substantially as follows:

31 Shall (name of township) borrow \$(amount) to (
32 build, purchase, or lease) a (township hall,
33 multi-purpose senior center, or combination township hall

1 and multi-purpose senior center) and issue bonds for the
2 (building, purchase, or lease)?

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

4 (Source: P.A. 87-1254; 88-62.)

5 (60 ILCS 1/240-5)

6 Sec. 240-5. Borrowing money. The township board may
7 borrow money (i) from any bank or financial institution if
8 the money is to be repaid within 10 years from the time it is
9 borrowed or (ii), with the approval of the highway
10 commissioner, from a township road district fund, if the
11 money is to be repaid within one year from the time it is
12 borrowed. "Financial institution" means any bank subject to
13 the Illinois Banking Act, any savings and loan association
14 subject to the Illinois Savings and Loan Act of 1985, and any
15 federally chartered commercial bank or savings and loan
16 association organized and operated in this State under the
17 laws of the United States.

18 (Source: P.A. 86-1179; 88-62.)

19 (60 ILCS 1/245-5)

20 Sec. 245-5. Resolution at township meeting for transfer
21 among township funds.

22 (a) The legal voters of a township at an annual township
23 meeting or at a special township meeting called for that
24 purpose may, by written resolution by a majority vote of the
25 legal voters present and voting on the resolution, transfer
26 from one or more township funds, including the general
27 assistance fund, to any other township fund or funds, or to
28 the general road and bridge fund, or to any fund raised by
29 taxation or bonds upon all the property in the township for
30 roads and bridges, the surplus of any fund or funds over and
31 above an amount necessary to meet township charges and
32 expenses until the time of receiving revenue levied at the

1 next annual township meeting. The fund or funds ordered
 2 transferred shall be transferred and paid into the other fund
 3 or funds and shall be paid out on proper orders of officers
 4 authorized by law to expend the fund or funds.

5 (b) A resolution adopted under this Section shall
 6 specify the estimated amount of the proper and necessary
 7 charges and expenses of the township against the fund or
 8 funds until the time of the receipt of revenue after the next
 9 annual township meeting and the particular amount of surplus
 10 of the township fund or funds to be paid over, shall
 11 designate the particular fund or funds to be transferred to
 12 and paid into, and shall be submitted to the township meeting
 13 in writing or reduced to writing before any vote is taken on
 14 it.

15 (c) Whenever it is desired to submit the resolution at a
 16 special township meeting, a special township meeting may be
 17 called when the supervisor, together with at least 25 voters
 18 of the township, file with the township clerk a written
 19 petition stating the purpose for which the special township
 20 meeting is to be called. Upon the filing of the petition,
 21 the township clerk shall give notice of the special township
 22 meeting in the same manner and for the same length of time as
 23 notice is required to be given of the annual township
 24 meeting. The notice shall state the object of the special
 25 meeting. The special meeting shall be held at the place of
 26 the last annual township meeting.

27 (Source: P.A. 85-293; 88-62.)

28 Section 10. The Illinois Highway Code is amended by
 29 changing Section 6-107.1 as follows:

30 (605 ILCS 5/6-107.1) (from Ch. 121, par. 6-107.1)
 31 Sec. 6-107.1. Road districts may borrow money from any
 32 bank or other financial institution or, in a township road

1 district and with the approval of the town board of trustees,
2 from the town fund, provided such money shall be repaid
3 within 10 years ~~one-year~~ from the time the money is borrowed.

4 "Financial institution" means any bank subject to the
5 Illinois Banking Act, any savings and loan association
6 subject to the Illinois Savings and Loan Act of 1985, and any
7 federally chartered commercial bank or savings and loan
8 association organized and operated in this State pursuant to
9 the laws of the United States.

10 (Source: P.A. 85-514; 86-1179.)

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