

1 AMENDMENT TO HOUSE BILL 4429

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4429 by replacing  
3 everything after the enacting clause with the following:

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

1 the proposition, the board may annually levy the tax in  
2 addition to any other taxes set forth in Article 235 of this  
3 Act, but subject to the extension limitations in the Property  
4 Tax Extension Limitation Law of the Property Tax Code.

5 (b) If the township board of any township authorized to  
6 levy a tax under this Section pursuant to a referendum held  
7 before January 1, 1987, desires to increase the maximum rate  
8 of the tax to 0.15% of the value, as equalized and assessed  
9 by the Department of Revenue, of all taxable property in the  
10 township, it shall order a referendum on that proposition to  
11 be held at an election in accordance with the general  
12 election law. The board shall certify the proposition to the  
13 proper election officials, who shall submit the proposition  
14 to the voters at an election in accordance with the general  
15 election law. If a majority of the votes cast on the  
16 proposition is in favor of the proposition, the maximum tax  
17 rate shall be so increased.

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

19 (60 ILCS 1/85-10)

20 Sec. 85-10. Township corporate powers.

21 (a) Every township has the corporate capacity to  
22 exercise the powers granted to it, or necessarily implied,  
23 and no others. Every township has the powers specified in  
24 this Section.

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

26 (c) A township may acquire (by purchase, gift, or  
27 legacy) and hold property, both real and personal, for the  
28 use of its inhabitants and may sell and convey that property.  
29 A township may purchase any real estate or personal property  
30 for public purposes under contracts providing for payment in  
31 installments over a period of time of not more than 20 years  
32 in the case of real estate and not more than 10 years in the  
33 case of personal property. A township may finance the

1 purchase of any real estate or personal property for public  
2 purpose under finance contracts providing for payment in  
3 installments over a period of time of not more than 20 years  
4 in the case of real estate and not more than 10 years in the  
5 case of personal property. A township may construct a  
6 township hall under contracts providing for payment over a  
7 period of time of not more than 10 5 years. The interest on  
8 the unpaid balance shall not exceed that permitted in the  
9 Bond Authorization Act.

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

12 (e) A township may expend or contract for the  
13 expenditure of any federal funds made available to the  
14 township by law for any purpose for which taxes imposed upon  
15 township property or property within the township may be  
16 expended.

17 (f) A township may acquire (singly or jointly with a  
18 municipality or municipalities) land or any interest in land  
19 located within its township limits. The township may acquire  
20 the land or interest by gift, purchase, or otherwise, but not  
21 by condemnation. A township may (singly or jointly) improve  
22 or arrange for the improvement of the land for industrial or  
23 commercial purposes and may donate and convey the land or  
24 interest in land so acquired and so improved to the Illinois  
25 Development Finance Authority.

26 (g) (Blank)

27 (h) It is the policy of this State that all powers  
28 granted either expressly or by necessary implication by this  
29 Code, any other Illinois statute, or the Illinois  
30 Constitution to townships may be exercised by those townships  
31 notwithstanding effects on competition. It is the intention  
32 of the General Assembly that the "State action exemption" to  
33 the application of federal antitrust statutes be fully  
34 available to townships to the extent their activities are

1 authorized by law as stated in this Code.

2 (i) A township may receive funds under the federal  
3 Housing and Community Development Act of 1974 and may expend  
4 or contract for the expenditure of those funds and other  
5 township funds for the activities specified in Section 105 of  
6 that Act. The powers granted under this subsection (i) are  
7 in addition to powers otherwise possessed by a township and  
8 shall not be construed as a limitation of those other powers.

9 (j) A township may establish reasonable fees for  
10 recreation and instructional programs sponsored by the  
11 township.

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

14 (60 ILCS 1/140-5)

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

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

1 in the office of the township clerk.

2 (b) The township clerk shall certify the proposition to  
3 the proper election officials, who shall submit the  
4 proposition to the legal voters of the township at an  
5 election in accordance with the general election law. The  
6 form of the proposition shall be substantially as follows:

7 Shall (name of township) borrow \$(amount) to (  
8 build, purchase, or lease) a (township hall,  
9 multi-purpose senior center, or combination township hall  
10 and multi-purpose senior center) and issue bonds for the  
11 (building, purchase, or lease)?

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

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

14 (60 ILCS 1/240-5)

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

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

28 (60 ILCS 1/245-5)

29 Sec. 245-5. Resolution at township meeting for transfer  
30 among township funds.

31 (a) The legal voters of a township at an annual township  
32 meeting or at a special township meeting called for that

1 purpose may, by written resolution by a majority vote of the  
2 legal voters present and voting on the resolution, transfer  
3 from one or more township funds, including the general  
4 assistance fund, to any other township fund or funds, or to  
5 the general road and bridge fund, or to any fund raised by  
6 taxation or bonds upon all the property in the township for  
7 roads and bridges, the surplus of any fund or funds over and  
8 above an amount necessary to meet township charges and  
9 expenses until the time of receiving revenue levied at the  
10 next annual township meeting. The fund or funds ordered  
11 transferred shall be transferred and paid into the other fund  
12 or funds and shall be paid out on proper orders of officers  
13 authorized by law to expend the fund or funds.

14 (b) A resolution adopted under this Section shall  
15 specify the estimated amount of the proper and necessary  
16 charges and expenses of the township against the fund or  
17 funds until the time of the receipt of revenue after the next  
18 annual township meeting and the particular amount of surplus  
19 of the township fund or funds to be paid over, shall  
20 designate the particular fund or funds to be transferred to  
21 and paid into, and shall be submitted to the township meeting  
22 in writing or reduced to writing before any vote is taken on  
23 it.

24 (c) Whenever it is desired to submit the resolution at a  
25 special township meeting, a special township meeting may be  
26 called when the supervisor, together with at least 25 voters  
27 of the township, file with the township clerk a written  
28 petition stating the purpose for which the special township  
29 meeting is to be called. Upon the filing of the petition,  
30 the township clerk shall give notice of the special township  
31 meeting in the same manner and for the same length of time as  
32 notice is required to be given of the annual township  
33 meeting. The notice shall state the object of the special  
34 meeting. The special meeting shall be held at the place of

1 the last annual township meeting.

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

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

5 (605 ILCS 5/6-107.1) (from Ch. 121, par. 6-107.1)

6 Sec. 6-107.1. Road districts may borrow money from any  
7 bank or other financial institution or, in a township road  
8 district and with the approval of the town board of trustees,  
9 from the town fund, provided such money shall be repaid  
10 within 10 years ~~one-year~~ from the time the money is borrowed.

11 "Financial institution" means any bank subject to the  
12 Illinois Banking Act, any savings and loan association  
13 subject to the Illinois Savings and Loan Act of 1985, and any  
14 federally chartered commercial bank or savings and loan  
15 association organized and operated in this State pursuant to  
16 the laws of the United States.

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

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