

AN ACT concerning local government.

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

Section 5. The Sanitary District Act of 1917 is amended by changing Section 27 as follows:

(70 ILCS 2405/27) (from Ch. 42, par. 317i)

Sec. 27. (a) Any sanitary district created under this Act which does not have any outstanding and unpaid revenue bonds issued under the provisions of this Act and which has a population not in excess of 5000 persons and where that sanitary district has entered into an intergovernmental agreement with a municipality for the mutual expenditure of funds in joint work and for the transfer of assets under the Municipality and Sanitary District Mutual Expenditure Act may be dissolved as follows:

The board of trustees of a sanitary district may petition the circuit court to dissolve the district. Such petition must show: (1) the reasons for dissolving the district; (2) that there are no debts of the district outstanding or that there are sufficient funds on hand or available to satisfy such debts; (3) that no contract or federal or state permit or grant will be impaired by the dissolution of the sanitary district; (4) that all assets and responsibilities of the sanitary

district have been properly assigned to the successor municipality; and (5) that the sanitary district will pay any court costs incurred in connection with the petition.

Upon adequate notice, including appropriate notice to the Illinois Environmental Protection Agency, the circuit court shall hold a hearing to determine whether there is good reason for dissolving the district and whether the allegations of the petition are true. If the court finds for the petitioners it shall order the district dissolved but if the court finds against the petitioners the petition shall be dismissed. In either event, the costs shall be taxed against the sanitary district. The order shall be final. Separate or joint appeals may be taken by any of the parties affected thereby or by the trustees of the sanitary district, as in other civil cases.

(b) The Village of Rockton has the power to dissolve and acquire all of the assets and responsibilities of a sanitary district (i) that is located wholly within Winnebago County and (ii) that has 90% of its service area within the corporate limits of the Village of Rockton. The corporate authorities of the Village of Rockton, after providing at least 60 days' prior written notice to the sanitary district, may vote to dissolve and acquire the existing sanitary district formed pursuant to this Act upon showing: (1) the reasons for dissolving the district; (2) that there are no outstanding debts of the district or that the Village of Rockton has sufficient funds on hand or available to satisfy any such debts; (3) that no

federal or state permit or grant will be impaired by dissolution of the existing sanitary district; (4) that the Village of Rockton agrees to assume all assets and responsibilities of the sanitary district; and (5) that adequate notice has been given to the Illinois Environmental Protection Agency regarding the dissolution of the sanitary district. Any costs associated with the dissolution of the existing sanitary district may be taxed against the sanitary district once the Village of Rockton has acquired all the assets and responsibilities of the district. The sanitary district may file an appeal with the circuit court, which shall hold a hearing, to determine whether the requirements of this section has been met. If the court finds that the requirements of this section have been met, it shall uphold the action of the Village of Rockton to dissolve the district. If the court finds that said requirements have not been met, it shall order that the sanitary district not be dissolved.

(c) The Round Lake Sanitary District may dissolve itself upon entering into an agreement with the County of Lake for the County to acquire all of the assets and responsibilities of the Round Lake Sanitary District. Upon dissolution of the District, the statutory powers of the former District shall be exercised by the county board of Lake County. Within 60 days after the effective date of such dissolution and agreement, the County of Lake shall notify the Illinois Environmental Protection Agency regarding the dissolution of the Round Lake Sanitary District

and the dissolution agreement.

(Source: P.A. 93-567, eff. 8-20-03.)

Section 10. The Sanitary District Act of 1936 is amended by changing Section 33 as follows:

(70 ILCS 2805/33) (from Ch. 42, par. 444)

Sec. 33. Any sanitary district created under this Act which does not have outstanding and unpaid any revenue bonds issued under the provisions of this Act may be dissolved as follows:

(a) Any 50 electors residing within the area of any sanitary district may file with the circuit clerk of the county in which the area is situated, a petition addressed to the circuit court to cause submission of the question whether the sanitary district shall be dissolved. Upon the filing of the petition with the clerk, the court shall certify the question to the proper election officials who shall submit the question at an election in accordance with the general election law, and give notice of the election in the manner provided by the general election law.

The question shall be in substantially the following form:

"Shall the sanitary	YES
district of.... be	-----
dissolved"?	NO

If a majority of the votes cast on this question are in favor of dissolution of the sanitary district, then such organization shall cease, and the sanitary district is dissolved, and the court shall direct the sanitary district to discharge all outstanding obligations.

(b) The County of Lake may dissolve the Fox Lake Hills Sanitary District, thereby acquiring all of the District's assets and responsibilities, upon adopting a resolution stating: (1) the reasons for dissolving the District; (2) that there are no outstanding debts of the District or that the County has sufficient funds on hand or available to satisfy such debts; (3) that no federal or State permit or grant will be impaired by dissolution of the District; and (4) that the County assumes all assets and responsibilities of the District. Upon dissolution of the District, the statutory powers of the former District shall be exercised by the county board of the Lake County. Within 60 days after the effective date of such resolution, the County of Lake shall notify the Illinois Environmental Protection Agency regarding the dissolution of the Fox Hills Sanitary District.

(Source: P.A. 81-1489.)

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