

HB3851



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3851

by Rep. Mike Fortner

SYNOPSIS AS INTRODUCED:

60 ILCS 1/15-5.1 new
60 ILCS 1/15-10

Amends the Township Code. Provides that the corporate authorities of a home rule municipality may, by resolution, provide that the municipality is organized as a coterminous city (currently, only a county board may organize territory into a coterminous city). Effective immediately.

LRB100 11377 AWJ 21772 b

FISCAL NOTE ACT
MAY APPLY

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 Township Code is amended by changing Section
5 15-10 and by adding Section 15-5.1 as follows:

6 (60 ILCS 1/15-5.1 new)

7 Sec. 15-5.1. Home rule municipality; organization of
8 coterminous city.

9 (a) The corporate authorities of a home rule municipality
10 in any county under township organization, by resolution, may
11 provide that the municipality is organized into a new township
12 under the name designated in a petition under subsection (b).
13 The municipality shall be known as a coterminous city.

14 (b) The corporate authorities of a home rule municipality
15 shall not take action under the provisions of subsection (a)
16 unless a petition requesting that action, signed by at least
17 200 voters of the municipality, has been presented to the
18 corporate authorities of the municipality and the corporate
19 authorities have held a public hearing on the petition. Notice
20 of the hearing shall be published at least 3 times in a
21 newspaper published in the municipality or, if there is none,
22 in a newspaper published in the county and having a general
23 circulation in the territory described in the petition. The

1 first notice shall be published at least 60 days before the
2 date of the hearing.

3 (60 ILCS 1/15-10)

4 Sec. 15-10. Disconnection of territory from township;
5 annexation to adjacent township. Until the effective date of
6 this amendatory Act of 1997, whenever a township is organized
7 under this Article and any of the territory of the city not
8 more than one-half square mile in extent and containing not
9 more than 50 inhabitants is disconnected from the city, the
10 county board may, by resolution, upon receiving a certified
11 copy of the resolution or ordinance of the city disconnecting
12 the territory and after a public hearing on the matter
13 following notice given as provided in Sections ~~Section~~ 15-5 or
14 15-5.1, disconnect the territory from the township and annex it
15 to an adjacent township or townships.

16 Whenever a township is organized under this Article and any
17 of the territory of the city is, after the effective date of
18 this amendatory Act of 1997, disconnected from the city by
19 court order or ordinance, the territory shall automatically be
20 disconnected from the otherwise coterminous township and
21 connected to the adjacent township, and the transfer of the
22 territory shall not affect the city's status as a city with a
23 coterminous township. If disconnection is pursuant to court
24 order, the petitioning party in the cause shall, within 30 days
25 of the entry of an order permitting disconnection, serve a copy

1 of the order upon the coterminous township, the adjacent
2 township, and the county clerk by certified mail, return
3 receipt requested, and shall file proof of the service with the
4 circuit clerk. Upon objection by either the coterminous
5 township or the adjacent township within 180 days after the
6 enactment of the ordinance or after service of the court order,
7 the county board or the corporate authorities of a home rule
8 municipality may, after receiving a certified copy of the court
9 order or ordinance and after a public hearing on the matter
10 following notice given as provided in Sections ~~Section~~ 15-5 or
11 15-5.1, pass an ordinance annulling the automatic
12 disconnection of territory from the coterminous township. The
13 action by the county board or the corporate authorities of a
14 home rule municipality shall not affect the disconnection of
15 territory from the city, but shall cause the territory to
16 remain in the coterminous township. The annulling by the county
17 board or the corporate authorities of a home rule municipality
18 of the automatic disconnection of territory from the
19 coterminous township shall not affect the city's status as a
20 city with a coterminous township.

21 (Source: P.A. 90-481, eff. 8-17-97.)

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