



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB6170

Introduced 2/11/2016, by Rep. Ron Sandack

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-31022	
70 ILCS 1005/11	from Ch. 111 1/2, par. 84
70 ILCS 2405/30.5 new	
70 ILCS 2405/31	from Ch. 42, par. 317m
70 ILCS 2805/35.5 new	
70 ILCS 2805/36	from Ch. 42, par. 447
70 ILCS 3720/2.1 rep.	

Amends the Counties Code. Provides that county historical museum districts may be consolidated into a township (currently, only other districts, municipalities, and counties) in which the district sits. Amends the following Acts to provide that, upon a majority vote of the boards of the districts in favor of the proposition to annex or consolidate, and if the governing authorities of the governmental unit assuming the functions of the former entity agree by resolution to accept the functions and jurisdiction over the territory of the consolidated or annexed entity, then that entity shall cease: Mosquito Abatement District Act, the Sanitary District Act of 1917, and the Sanitary District Act of 1936. Provides that on the effective date of the annexation or consolidation, all of the rights, powers, duties, assets, liabilities, indebtedness, obligations, bonding authority, taxing authority, and responsibilities of the entity shall vest in and be assumed by the governmental unit assuming the former entity's functions. Provides that the rights of the employees of the former district is consolidated into the other governmental unit. Deletes reference to a similar Section in the Water Commission Act of 1985. Effective immediately.

LRB099 18722 AWJ 43106 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT 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 Counties Code is amended by changing Section
5 5-31022 as follows:

6 (55 ILCS 5/5-31022)

7 Sec. 5-31022. Cessation of district organization.
8 Notwithstanding any other provision of law, if a majority vote
9 of the board is in favor of the proposition to annex the
10 district to another district whose boundaries are contiguous,
11 or consolidate the district into a municipality with which the
12 district is coterminous or substantially coterminous, or
13 consolidate the district into the county or township in which
14 the district sits if the district contains territory within
15 only one county or township, and if the governing authorities
16 of the governmental unit assuming the functions of the former
17 district agree by resolution to accept the functions (and
18 jurisdiction over the territory, if applicable) of the
19 consolidated or annexed district, then the district shall
20 cease. On the effective date of the annexation or
21 consolidation, all the rights, powers, duties, assets,
22 property, liabilities, indebtedness, obligations, bonding
23 authority, taxing authority, and responsibilities of the

1 district shall vest in and be assumed by the governmental unit
2 assuming the functions of the former district.

3 The employees of the former district shall be transferred
4 to the governmental unit assuming the functions of the former
5 district. The governmental unit assuming the functions of the
6 former district shall exercise the rights and responsibilities
7 of the former district with respect to those employees. The
8 status and rights of the employees of the former district under
9 any applicable contracts or collective bargaining agreements,
10 historical representation rights under the Illinois Public
11 Labor Relations Act, or under any pension, retirement, or
12 annuity plan shall not be affected by this amendatory Act.

13 (Source: P.A. 98-1002, eff. 8-18-14.)

14 Section 10. The Mosquito Abatement District Act is amended
15 by changing Section 11 as follows:

16 (70 ILCS 1005/11) (from Ch. 111 1/2, par. 84)

17 Sec. 11. Cessation of district organization. Any mosquito
18 abatement district organized under the provisions of this Act
19 may be dissolved and discontinued:

20 (a) upon like petition, hearing and election as is provided
21 in this Act for the organization of such district. If a
22 majority of the votes cast on the question at such election are
23 in favor of such dissolution, the court shall enter an order of
24 record in the court dissolving such district. The trustees of

1 such mosquito abatement district shall immediately proceed to
2 wind up the affairs of such district and shall have the same
3 powers as before dissolution to levy taxes for the purpose of
4 paying the debts, obligations and liabilities of such mosquito
5 abatement district outstanding on the date of such dissolution
6 and the necessary expenses of closing up the affairs of such
7 district. All property of such district shall be sold and in
8 case any excess remains after all liabilities of such district
9 are paid such excess shall be paid to the various common school
10 districts located in such mosquito abatement district ratably
11 in the proportion that the taxable value of all the property in
12 each of the school districts bears to the taxable value of all
13 the property in the mosquito abatement district; or

14 (b) notwithstanding any other provision of law, if a
15 majority vote of the board of trustees is in favor of the
16 proposition to annex the district to another district whose
17 boundaries are contiguous, or consolidate the district into a
18 municipality with which the district is coterminous or
19 substantially coterminous, or consolidate the district into
20 the county or township in which the district sits, and if the
21 governing authorities of the governmental unit assuming the
22 functions of the former district agree by resolution to accept
23 the functions (and jurisdiction over the territory, if
24 applicable) of the consolidated or annexed district, then the
25 district shall cease. On the effective date of the annexation
26 or consolidation, all the rights, powers, duties, assets,

1 property, liabilities, indebtedness, obligations, bonding
2 authority, taxing authority, and responsibilities of the
3 district shall vest in and be assumed by the governmental unit
4 assuming the functions of the former district.

5 The employees of the former district shall be transferred
6 to the governmental unit assuming the functions of the former
7 district. The governmental unit assuming the functions of the
8 former district shall exercise the rights and responsibilities
9 of the former district with respect to those employees. The
10 status and rights of the employees of the former district under
11 any applicable contracts or collective bargaining agreements,
12 historical representation rights under the Illinois Public
13 Labor Relations Act, or under any pension, retirement, or
14 annuity plan shall not be affected by this amendatory Act of
15 the 99th General Assembly.

16 (Source: P.A. 83-343.)

17 Section 15. The Sanitary District Act of 1917 is amended by
18 changing Section 31 and by adding Section 30.5 as follows:

19 (70 ILCS 2405/30.5 new)

20 Sec. 30.5. Cessation of district organization.
21 Notwithstanding any other provision of law, if a majority vote
22 of the board of trustees is in favor of the proposition to
23 annex the district to another district whose boundaries are
24 contiguous, or consolidate the district into a municipality

1 with which the district is coterminous or substantially
2 coterminous, or consolidate the district into the county or
3 township in which the district sits, and if the governing
4 authorities of the governmental unit assuming the functions of
5 the former district agree by resolution to accept the functions
6 (and jurisdiction over the territory, if applicable) of the
7 consolidated or annexed district, then the district shall
8 cease. On the effective date of the annexation or
9 consolidation, all the rights, powers, duties, assets,
10 property, liabilities, indebtedness, obligations, bonding
11 authority, taxing authority, and responsibilities of the
12 district shall vest in and be assumed by the governmental unit
13 assuming the functions of the former district.

14 The employees of the former district shall be transferred
15 to the governmental unit assuming the functions of the former
16 district. The governmental unit assuming the functions of the
17 former district shall exercise the rights and responsibilities
18 of the former district with respect to those employees. The
19 status and rights of the employees of the former district under
20 any applicable contracts or collective bargaining agreements,
21 historical representation rights under the Illinois Public
22 Labor Relations Act, or under any pension, retirement, or
23 annuity plan shall not be affected by this amendatory Act of
24 the 99th General Assembly.

1 Sec. 31. All courts shall take judicial notice of the
2 dissolution or cessation of such sanitary districts.

3 (Source: P.A. 85-986.)

4 Section 20. The Sanitary District Act of 1936 is amended by
5 changing Section 36 and by adding Section 35.5 as follows:

6 (70 ILCS 2805/35.5 new)

7 Sec. 35.5. Cessation of district organization.
8 Notwithstanding any other provision of law, if a majority vote
9 of the board of trustees is in favor of the proposition to
10 annex the district to another district whose boundaries are
11 contiguous, or consolidate the district into a municipality
12 with which the district is coterminous or substantially
13 coterminous, or consolidate the district into the county or
14 township in which the district sits, and if the governing
15 authorities of the governmental unit assuming the functions of
16 the former district agree by resolution to accept the functions
17 (and jurisdiction over the territory, if applicable) of the
18 consolidated or annexed district, then the district shall
19 cease. On the effective date of the annexation or
20 consolidation, all the rights, powers, duties, assets,
21 property, liabilities, indebtedness, obligations, bonding
22 authority, taxing authority, and responsibilities of the
23 district shall vest in and be assumed by the governmental unit
24 assuming the functions of the former district.

1 The employees of the former district shall be transferred
2 to the governmental unit assuming the functions of the former
3 district. The governmental unit assuming the functions of the
4 former district shall exercise the rights and responsibilities
5 of the former district with respect to those employees. The
6 status and rights of the employees of the former district under
7 any applicable contracts or collective bargaining agreements,
8 historical representation rights under the Illinois Public
9 Labor Relations Act, or under any pension, retirement, or
10 annuity plan shall not be affected by this amendatory Act of
11 the 99th General Assembly.

12 (70 ILCS 2805/36) (from Ch. 42, par. 447)

13 Sec. 36. All courts shall take judicial notice of the
14 dissolution or cessation of such sanitary districts.

15 (Source: Laws 1957, p. 349.)

16 (70 ILCS 3720/2.1 rep.)

17 Section 25. The Water Commission Act of 1985 is amended by
18 repealing Section 2.1.

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