



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB2289

Introduced 1/27/2016, by Sen. Pamela J. Althoff

SYNOPSIS AS INTRODUCED:

35 ILCS 200/18-51 new
60 ILCS 1/10-25
60 ILCS 1/20-10
60 ILCS 1/27-10
60 ILCS 1/28-10

Amends the Township Code. Removes a restriction requiring townships to possess an equalized assessed valuation of not less than \$10,000,000 or 126 square miles. Further provides that after a vote or ordinance has approved the consolidation of a township, a county board may establish a new tax for the consolidated township or consolidated township and municipality. Amends the Property Tax Code making conforming changes.

LRB099 18362 AWJ 42737 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

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 Property Tax Code is amended by adding
5 Section 18-51 as follows:

6 (35 ILCS 200/18-51 new)

7 Sec. 18-51. Property tax of consolidated townships.
8 Notwithstanding any other law to the contrary, when townships
9 are consolidated under Sections 20-5, 27-10, or 28-10 of the
10 Township Code and the county board passes an ordinance or
11 resolution requiring a new property tax levy rate to be levied
12 on the new consolidated township or municipality, the county
13 clerk shall calculate a new township or municipal property tax
14 levy for the levy year in the year which the consolidation
15 takes place equal to the amount stated by the county board. The
16 new property tax levy shall contain all funds of the former tax
17 levies and the county clerk shall proportionally reduce each
18 fund unless otherwise required by the petition or ordinance.

19 Section 10. The Township Code is amended by changing
20 Sections 10-25, 20-10, 27-10, and 28-10 as follows:

21 (60 ILCS 1/10-25)

1 Sec. 10-25. Plan for changes in townships.

2 (a) The county board of each county may, subject to a
3 referendum in the townships affected as provided in this
4 Section, adopt a plan for altering the boundaries of townships,
5 changing township lines, dividing, enlarging, or consolidating
6 townships, or creating new townships, ~~so that each township~~
7 ~~shall possess an equalized assessed valuation of not less than~~
8 ~~\$10,000,000 as of the 1982 assessment year or an area of not~~
9 ~~more than 126 square miles.~~

10 (b) No alteration or change in boundaries shall be
11 effective unless approved by a referendum in each township
12 affected. The election authority shall submit to the voters of
13 each township affected, at a regular election to be held not
14 less than 60 days after the plan is adopted, the question of
15 approving the alteration or change. The alterations or changes,
16 if approved by the voters, shall take effect on the date of the
17 next township election and shall be applicable to that
18 election. If there is doubt as to the township clerk with whom
19 nomination papers for that election should be filed, the county
20 board shall designate the clerk. In the alteration of
21 boundaries, a county board may not disturb urban or coterminous
22 townships in existence on October 1, 1978.

23 (Source: P.A. 84-1308; 88-62.)

24 (60 ILCS 1/20-10)

25 Sec. 20-10. Election results.

1 (a) The county clerk shall enter an abstract of the returns
2 of the election held under Section 20-5, made out and certified
3 as in an election for county officers, and shall record the
4 abstract at length upon the records of the county.

5 (b) If a majority of the votes are in favor of
6 consolidating all of the townships and fractional parts of
7 townships in the city into one organized township, then at the
8 next regular election for township officers there shall be
9 elected one set of township officers for the territory in the
10 city.

11 (c) If a majority of the votes are in favor of
12 consolidating all of the townships, the county board may by
13 ordinance or resolution require that a new property tax levy
14 rate be levied on the new consolidated township for the levy
15 year in the year which the consolidation takes place at a rate
16 determined by the county board and administered under Section
17 18-51 of the Property Tax Code.

18 (Source: P.A. 81-1490; 88-62.)

19 (60 ILCS 1/27-10)

20 Sec. 27-10. Petition and referendum to discontinue and
21 abolish a township organization within a coterminous
22 municipality. Upon adoption of an ordinance by the city council
23 of a township described under Section 27-5 of this Article, or
24 upon petition of at least 10% of the registered voters of that
25 township, the city council shall certify and cause to be

1 submitted to the voters of the township, at the next election
2 or consolidated election, a proposition to discontinue and
3 abolish the township organization and to transfer all the
4 rights, powers, duties, assets, property, liabilities,
5 obligations, and responsibilities of the township organization
6 to the coterminous municipality.

7 A signature on a petition shall not be valid or counted in
8 considering the petition unless the form requirements are
9 complied with and the date of each signature is less than 90
10 days before the last day for filing the petition. The statement
11 of the person who circulates the petition must include an
12 attestation (i) indicating the dates on which that sheet was
13 circulated, (ii) indicating the first and last date on which
14 that sheet was circulated, or (iii) certifying that none of the
15 signatures on the sheet was signed more than 90 days before the
16 last day for filing the petition. The petition shall be treated
17 and the proposition certified in the manner provided by the
18 general election law. After the proposition has once been
19 submitted to the electorate, the proposition shall not be
20 resubmitted for 4 years.

21 The proposition shall be in substantially the following
22 form:

23 Shall the township organization be continued in [Name
24 of Township] Township?

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

26 If a majority of the votes are in favor of discontinuing

1 and abolishing a township organization, the county board may by
2 ordinance or resolution require that a new tax levy rate be
3 levied on the new consolidated municipality and township for
4 the levy year in the year which the consolidation takes place
5 at a rate determined by the county board and administered under
6 Section 18-51 of the Property Tax Code.

7 (Source: P.A. 98-127, eff. 8-2-13; 98-756, eff. 7-16-14.)

8 (60 ILCS 1/28-10)

9 Sec. 28-10. Ordinance to discontinue and abolish a township
10 organization within a coterminous municipality; cessation of
11 township organization; property tax levy.

12 (a) The township board of a township described under
13 Section 28-5 of this Article may adopt an ordinance, with a
14 majority of the votes of the township board, providing that,
15 upon the approval of a coterminous, or substantially
16 coterminous, municipality's corporate authorities, (1) that
17 the township organization shall discontinue and be abolished;
18 and (2) that the township shall transfer all the rights,
19 powers, duties, assets, property, liabilities, obligations,
20 and responsibilities of the township organization to the
21 coterminous, or substantially coterminous, municipality. The
22 corporate authorities of the coterminous, or substantially
23 coterminous, municipality shall adopt an ordinance by a
24 majority vote approving such transfer to the municipality.

25 (b) On the later date of either the (i) approval of an

1 ordinance by a municipality under subsection (a) of this
2 Section, or (ii) expiration of the township officers' terms
3 after passing an ordinance under subsection (a) of this
4 Section, the township is discontinued and abolished and all the
5 rights, powers, duties, assets, property, liabilities,
6 obligations, and responsibilities of the township shall by
7 operation of law vest in and be assumed by the municipality,
8 including the authority to levy property taxes for township
9 purposes in the same manner as the dissolved township.

10 (c) Prior to or after effective date of discontinuance and
11 abolishment of the township organization under this Section,
12 the county board may by ordinance or resolution require that a
13 new tax levy rate be levied on the new consolidated
14 municipality and township for the levy year in the year which
15 the consolidation takes place at a rate determined by the
16 county board and administered under Section 18-51 of the
17 Property Tax Code.

18 (Source: P.A. 99-474, eff. 8-27-15.)