



Rep. Lawrence "Larry" Walsh, Jr.

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10400HB5166ham001

LRB104 19304 RTM 35520 a

1 AMENDMENT TO HOUSE BILL 5166

2 AMENDMENT NO. _____. Amend House Bill 5166 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Drainage Code is amended by
5 adding Section 10-3.5 as follows:

6 (70 ILCS 605/10-3.5 new)

7 Sec. 10-3.5. Dissolution of sanitary districts having
8 fewer than 1,000,000 inhabitants.

9 (a) As used in this Section:

10 "Date of dissolution" means the date that a dissolving
11 district is dissolved.

12 "Dissolving district" means a district proposed to be
13 dissolved under this Section.

14 "Governing body" includes, but is not limited to, the
15 board of a special district, the corporate authorities of a
16 municipality, the township board of a township, and the county

1 board of a county.

2 "Receiving unit of local government" means the unit of
3 local government receiving the rights, duties, and liabilities
4 of a district proposed to be dissolved under this Section.

5 (b) In addition to other methods of dissolution provided
6 in this Code, a district having fewer than 1,000,000
7 inhabitants shall be dissolved upon the affirmative vote of:

8 (1) a majority of the commissioners of a district to
9 dissolve the district on a specified date of dissolution
10 and transfer the district's rights, duties, and
11 liabilities to a receiving unit of local government on or
12 before a specified date of dissolution; and

13 (2) a majority of the governing body of the receiving
14 unit of local government to receive the rights, duties,
15 and liabilities of the dissolving district on or before a
16 specified date of dissolution.

17 (c) On or before the date of dissolution, all real and
18 personal property, and any other assets, together with all
19 personnel, contractual obligations, and liabilities of the
20 dissolving district shall be transferred to the receiving unit
21 of local government.

22 (d) On the date of dissolution, the dissolving district is
23 dissolved.

24 (e) On and after the date of dissolution, all rights and
25 duties of the dissolving district may be exercised by the
26 receiving unit of local government.

1 (f) Before the date of dissolution, the receiving unit of
2 local government shall submit a service continuation plan
3 confirming that the receiving unit of local government has the
4 resources to continue providing the services provided by the
5 dissolving district.

6 Section 10. The Sanitary District Act of 1907 is amended
7 by adding Section 28.5 as follows:

8 (70 ILCS 2205/28.5 new)

9 Sec. 28.5. Dissolution of sanitary districts having fewer
10 than 1,000,000 inhabitants.

11 (a) As used in this Section:

12 "Date of dissolution" means the date that a dissolving
13 sanitary district is dissolved.

14 "Dissolving sanitary district" means the sanitary district
15 proposed to be dissolved under this Section.

16 "Governing body" includes, but is not limited to, the
17 board of a sanitary district, the corporate authorities of a
18 municipality, the township board of a township, and the county
19 board of a county.

20 "Receiving unit of local government" means the unit of
21 local government receiving the rights, duties, and liabilities
22 of the sanitary district proposed to be dissolved under this
23 Section.

24 (b) In addition to other methods of dissolution provided

1 in this Act, a sanitary district organized under this Act
2 having fewer than 1,000,000 inhabitants shall be dissolved
3 upon the affirmative vote of:

4 (1) a majority of the governing body of the dissolving
5 sanitary district to dissolve the sanitary district on a
6 specified date of dissolution and transfer the sanitary
7 district's rights, duties, and liabilities to a receiving
8 unit of local government on or before a specified date of
9 dissolution; and

10 (2) a majority of the governing body of the receiving
11 unit of local government to receive the rights, duties,
12 and liabilities of the dissolving sanitary district on or
13 before a specified date of dissolution.

14 (c) On or before the date of dissolution, all real and
15 personal property, and any other assets, together with all
16 personnel, contractual obligations, and liabilities of the
17 dissolving sanitary district shall be transferred to the
18 receiving unit of local government.

19 (d) On the date of dissolution, the dissolving sanitary
20 district is dissolved.

21 (e) On and after the date of dissolution, all rights and
22 duties of the dissolving sanitary district may be exercised by
23 the receiving unit of local government.

24 (f) Before the date of dissolution, the receiving unit of
25 local government shall submit a service continuation plan
26 confirming that the receiving unit of local government has the

1 resources to continue providing the services provided by the
2 dissolving sanitary district.

3 Section 15. The North Shore Water Reclamation District Act
4 is amended by adding Section 30.5 as follows:

5 (70 ILCS 2305/30.5 new)

6 Sec. 30.5. Dissolution of sanitary districts having fewer
7 than 1,000,000 inhabitants.

8 (a) As used in this Section:

9 "Date of dissolution" means the date that a dissolving
10 sanitary district is dissolved.

11 "Dissolving sanitary district" means the sanitary district
12 proposed to be dissolved under this Section.

13 "Governing body" includes, but is not limited to, the
14 board of a sanitary district, the corporate authorities of a
15 municipality, the township board of a township, and the county
16 board of a county.

17 "Receiving unit of local government" means the unit of
18 local government receiving the rights, duties, and liabilities
19 of the sanitary district proposed to be dissolved under this
20 Section.

21 (b) A sanitary district organized under this Act having
22 fewer than 1,000,000 inhabitants shall be dissolved upon the
23 affirmative vote of:

24 (1) a majority of the governing body of the dissolving

1 sanitary district to dissolve the sanitary district on a
2 specified date of dissolution and transfer the sanitary
3 district's rights, duties, and liabilities to a receiving
4 unit of local government on or before a specified date of
5 dissolution; and

6 (2) a majority of the governing body of the receiving
7 unit of local government to receive the rights, duties,
8 and liabilities of the dissolving sanitary district on or
9 before a specified date of dissolution.

10 (c) On or before the date of dissolution, all real and
11 personal property, and any other assets, together with all
12 personnel, contractual obligations, and liabilities of the
13 dissolving sanitary district shall be transferred to the
14 receiving unit of local government.

15 (d) On the date of dissolution, the dissolving sanitary
16 district is dissolved.

17 (e) On and after the date of dissolution, all rights and
18 duties of the dissolving sanitary district may be exercised by
19 the receiving unit of local government.

20 (f) Before the date of dissolution, the receiving unit of
21 local government shall submit a service continuation plan
22 confirming that the receiving unit of local government has the
23 resources to continue providing the services provided by the
24 dissolving sanitary district.

25 Section 20. The Sanitary District Act of 1917 is amended

1 by adding Section 27.5 as follows:

2 (70 ILCS 2405/27.5 new)

3 Sec. 27.5. Dissolution of sanitary districts having fewer
4 than 1,000,000 inhabitants.

5 (a) As used in this Section:

6 "Date of dissolution" means the date that a dissolving
7 sanitary district is dissolved.

8 "Dissolving sanitary district" means the sanitary district
9 proposed to be dissolved under this Section.

10 "Governing body" includes, but is not limited to, the
11 board of a sanitary district, the corporate authorities of a
12 municipality, the township board of a township, and the county
13 board of a county.

14 "Receiving unit of local government" means the unit of
15 local government receiving the rights, duties, and liabilities
16 of the sanitary district proposed to be dissolved under this
17 Section.

18 (b) In addition to other methods of dissolution provided
19 in this Act, a sanitary district organized under this Act
20 having fewer than 1,000,000 inhabitants shall be dissolved
21 upon the affirmative vote of:

22 (1) a majority of the governing body of the dissolving
23 sanitary district to dissolve the sanitary district on a
24 specified date of dissolution and transfer the sanitary
25 district's rights, duties, and liabilities to the

1 receiving unit of local government on or before a
2 specified date of dissolution; and

3 (2) a majority of the governing body of a receiving
4 unit of local government to receive the rights, duties,
5 and liabilities of the dissolving sanitary district on or
6 before a specified date of dissolution.

7 (c) On or before the date of dissolution, all real and
8 personal property, and any other assets, together with all
9 personnel, contractual obligations, and liabilities of the
10 dissolving sanitary district shall be transferred to the
11 receiving unit of local government.

12 (d) On the date of dissolution, the dissolving sanitary
13 district is dissolved.

14 (e) On and after the date of dissolution, all rights and
15 duties of the dissolving sanitary district may be exercised by
16 the receiving unit of local government.

17 (f) Before the date of dissolution, the receiving unit of
18 local government shall submit a service continuation plan
19 confirming that the receiving unit of local government has the
20 resources to continue providing the services provided by the
21 dissolving sanitary district.

22 Section 25. The Sanitary District Act of 1936 is amended
23 by adding Section 33.2 as follows:

24 (70 ILCS 2805/33.2 new)

1 Sec. 33.2. Dissolution of sanitary districts having fewer
2 than 1,000,000 inhabitants.

3 (a) As used in this Section:

4 "Date of dissolution" means the date that a dissolving
5 sanitary district is dissolved.

6 "Dissolving sanitary district" means the sanitary district
7 proposed to be dissolved under this Section.

8 "Governing body" includes, but is not limited to, the
9 board of a sanitary district, the corporate authorities of a
10 municipality, the township board of a township, and the county
11 board of a county.

12 "Receiving unit of local government" means the unit of
13 local government receiving the rights, duties, and liabilities
14 of the sanitary district proposed to be dissolved under this
15 Section.

16 (b) In addition to other methods of dissolution provided
17 in this Act, a sanitary district organized under this Act
18 having fewer than 1,000,000 inhabitants shall be dissolved
19 upon the affirmative vote of:

20 (1) a majority of the governing body of the dissolving
21 sanitary district to dissolve the sanitary district on a
22 specified date of dissolution and transfer the sanitary
23 district's rights, duties, and liabilities to a receiving
24 unit of local government on or before a specified date of
25 dissolution; and

26 (2) a majority of the governing body of the receiving

1 unit of local government to receive the rights, duties,
2 and liabilities of the dissolving sanitary district on or
3 before a specified date of dissolution.

4 (c) On or before the date of dissolution, all real and
5 personal property, and any other assets, together with all
6 personnel, contractual obligations, and liabilities of the
7 dissolving sanitary district shall be transferred to the
8 receiving unit of local government.

9 (d) On the date of dissolution, the dissolving sanitary
10 district is dissolved.

11 (e) On and after the date of dissolution, all rights and
12 duties of the dissolving sanitary district may be exercised by
13 the receiving unit of local government.

14 (f) Before the date of dissolution, the receiving unit of
15 local government shall submit a service continuation plan
16 confirming that the receiving unit of local government has the
17 resources to continue providing the services provided by the
18 dissolving sanitary district.

19 Section 30. The Metro-East Sanitary District Act of 1974
20 is amended by adding Section 2-10.5 as follows:

21 (70 ILCS 2905/2-10.5 new)

22 Sec. 2-10.5. Dissolution of sanitary districts having
23 fewer than 1,000,000 inhabitants.

24 (a) As used in this Section:

1 "Date of dissolution" means the date that a dissolving
2 sanitary district is dissolved.

3 "Dissolving sanitary district" means the sanitary district
4 proposed to be dissolved under this Section.

5 "Governing body" includes, but is not limited to, the
6 board of a sanitary district, the corporate authorities of a
7 municipality, the township board of a township, and the county
8 board of a county.

9 "Receiving unit of local government" means the unit of
10 local government receiving the rights, duties, and liabilities
11 of the sanitary district proposed to be dissolved under this
12 Section.

13 (b) A sanitary district organized under this Act having
14 fewer than 1,000,000 inhabitants shall be dissolved upon the
15 affirmative vote of:

16 (1) a majority of the governing body of the dissolving
17 sanitary district to dissolve the sanitary district on a
18 specified date of dissolution and transfer the sanitary
19 district's rights, duties, and liabilities to a receiving
20 unit of local government on or before a specified date of
21 dissolution; and

22 (2) a majority of the governing body of the receiving
23 unit of local government to receive the rights, duties,
24 and liabilities of the dissolving sanitary district on or
25 before a specified date of dissolution.

26 (c) On or before the date of dissolution, all real and

1 personal property, and any other assets, together with all
2 personnel, contractual obligations, and liabilities of the
3 dissolving sanitary district shall be transferred to the
4 receiving unit of local government.

5 (d) On the date of dissolution, the dissolving sanitary
6 district is dissolved.

7 (e) On and after the date of dissolution, all rights and
8 duties of the dissolving sanitary district may be exercised by
9 the receiving unit of local government.

10 (f) Before the date of dissolution, the receiving unit of
11 local government shall submit a service continuation plan
12 confirming that the receiving unit of local government has the
13 resources to continue providing the services provided by the
14 dissolving sanitary district.

15 Section 35. The Eastern Will Sanitary District Act is
16 amended by adding Section 25 as follows:

17 (70 ILCS 3020/25 new)

18 Sec. 25. Dissolution of sanitary districts having fewer
19 than 1,000,000 inhabitants.

20 (a) As used in this Section:

21 "Date of dissolution" means the date that a dissolving
22 sanitary district is dissolved.

23 "Dissolving sanitary district" means the sanitary district
24 proposed to be dissolved under this Section.

1 "Governing body" includes, but is not limited to, the
2 board of a sanitary district, the corporate authorities of a
3 municipality, the township board of a township, and the county
4 board of a county.

5 "Receiving unit of local government" means the unit of
6 local government receiving the rights, duties, and liabilities
7 of the sanitary district proposed to be dissolved under this
8 Section.

9 (b) A sanitary district organized under this Act having
10 fewer than 1,000,000 inhabitants shall be dissolved upon the
11 affirmative vote of:

12 (1) a majority of the governing body of the dissolving
13 sanitary district to dissolve the sanitary district on a
14 specified date of dissolution and transfer the sanitary
15 district's rights, duties, and liabilities to a receiving
16 unit of local government on or before a specified date of
17 dissolution; and

18 (2) a majority of the governing body of the receiving
19 unit of local government to receive the rights, duties,
20 and liabilities of the dissolving sanitary district on or
21 before a specified date of dissolution.

22 (c) On or before the date of dissolution, all real and
23 personal property, and any other assets, together with all
24 personnel, contractual obligations, and liabilities of the
25 dissolving sanitary district shall be transferred to the
26 receiving unit of local government.

1 (d) On the date of dissolution, the dissolving sanitary
2 district is dissolved.

3 (e) On and after the date of dissolution, all rights and
4 duties of the dissolving sanitary district may be exercised by
5 the receiving unit of local government.

6 (f) Before the date of dissolution, the receiving unit of
7 local government shall submit a service continuation plan
8 confirming that the receiving unit of local government has the
9 resources to continue providing the services provided by the
10 dissolving sanitary district.

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