



Rep. Lawrence "Larry" Walsh, Jr.

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10400HB5166ham002

LRB104 19304 TRT 36323 a

1 AMENDMENT TO HOUSE BILL 5166

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

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

7 (70 ILCS 605/10-3.5 new)

8 Sec. 10-3.5. Dissolution of sanitary districts having more
9 than 650,000 but fewer than 1,000,000 inhabitants.

10 (a) As used in this Section:

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

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

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

1 municipality, the township board of a township, and the county
2 board of a county.

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

6 (b) In addition to other methods of dissolution provided
7 in this Code, a district having more than 650,000 but fewer
8 than 1,000,000 inhabitants shall be dissolved upon the
9 affirmative vote of:

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

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

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

24 (d) On the date of dissolution, the dissolving district is
25 dissolved.

26 (e) On and after the date of dissolution, all rights and

1 duties of the dissolving district may be exercised by the
2 receiving unit of local government.

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

8 (g) In addition to the requirements of any other law
9 providing for the discontinuation or change to a tax imposed
10 within a special district, within 30 days of the date of
11 dissolution of the dissolving district, the dissolving
12 district must provide to the Department of Revenue and the
13 county or counties in which property is located and in which
14 taxes are levied or extended by or for the dissolving district
15 a certified copy of the ordinance or resolution adopted by the
16 governing body of the dissolving district that dissolved the
17 dissolving district and transferred the dissolving district's
18 rights, duties, and liabilities to a receiving unit of local
19 government.

20 (h) In addition to the requirements of any other law
21 providing for the discontinuation or change to a tax imposed
22 within a special district, within 30 days of the date that a
23 receiving unit of local government will receive the rights,
24 duties, and liabilities of a dissolving district, the
25 receiving unit of local government must provide to the
26 Department of Revenue and the county or counties in which

1 property is located and in which taxes are levied or extended
2 by or for the dissolving district a certified copy of the
3 ordinance or resolution adopted by the governing body of the
4 receiving unit of local government that approved of the
5 receipt, acceptance, and assumption of the rights, duties, and
6 liabilities of the dissolving district.

7 Section 10. The Sanitary District Act of 1936 is amended
8 by adding Section 33.2 as follows:

9 (70 ILCS 2805/33.2 new)

10 Sec. 33.2. Dissolution of sanitary districts having more
11 than 650,000 but fewer than 1,000,000 inhabitants.

12 (a) As used in this Section:

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

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

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

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

1 (b) In addition to other methods of dissolution provided
2 in this Act, a sanitary district organized under this Act
3 having more than 650,000 but fewer than 1,000,000 inhabitants
4 shall be dissolved upon the affirmative vote of:

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

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

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

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

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

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

1 confirming that the receiving unit of local government has the
2 resources to continue providing the services provided by the
3 dissolving sanitary district.

4 (g) In addition to the requirements of any other law
5 providing for the discontinuation or change to a tax imposed
6 within a special district, within 30 days of the date of
7 dissolution of the dissolving district, the dissolving
8 district must provide to the Department of Revenue and the
9 county or counties in which property is located and in which
10 taxes are levied or extended by or for the dissolving district
11 a certified copy of the ordinance or resolution adopted by the
12 governing body of the dissolving district that dissolved the
13 dissolving district and transferred the dissolving district's
14 rights, duties, and liabilities to a receiving unit of local
15 government.

16 (h) In addition to the requirements of any other law
17 providing for the discontinuation or change to a tax imposed
18 within a special district, within 30 days of the date that a
19 receiving unit of local government will receive the rights,
20 duties, and liabilities of a dissolving district, the
21 receiving unit of local government must provide to the
22 Department of Revenue and the county or counties in which
23 property is located and in which taxes are levied or extended
24 by or for the dissolving district a certified copy of the
25 ordinance or resolution adopted by the governing body of the
26 receiving unit of local government that approved of the

1 receipt, acceptance, and assumption of the rights, duties, and
2 liabilities of the dissolving district.

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