



Rep. Lawrence "Larry" Walsh, Jr.

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10400HB5166ham003

LRB104 19304 TRT 36857 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 drainage districts in a county
9 having more 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 drainage district is dissolved.

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

15 "Governing body" includes, but is not limited to, the
16 board of a drainage 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 the drainage district proposed to be dissolved under this
6 Section.

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

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

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

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

26 (d) On the date of dissolution, the dissolving drainage

1 district is dissolved.

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

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

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

23 (h) In addition to the requirements of any other law
24 providing for the discontinuation or change to a tax imposed
25 within a special district, within 30 days of the date that a
26 receiving unit of local government will receive the rights,

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

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

12 (70 ILCS 2805/33.2 new)

13 Sec. 33.2. Dissolution of sanitary districts in a county
14 having more than 650,000 but fewer than 1,000,000 inhabitants.

15 (a) As used in this Section:

16 "Date of dissolution" means the date that a dissolving
17 sanitary district is dissolved.

18 "Dissolving sanitary district" means the sanitary district
19 proposed to be dissolved under this Section.

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

24 "Receiving unit of local government" means the unit of

1 local government receiving the rights, duties, and liabilities
2 of the sanitary district proposed to be dissolved under this
3 Section.

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

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

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

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

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

25 (e) On and after the date of dissolution, all rights and
26 duties of the dissolving sanitary district may be exercised by

1 the receiving unit of local government.

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

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

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.".