

104TH GENERAL ASSEMBLY**State of Illinois****2025 and 2026****SB2504**

Introduced 2/7/2025, by Sen. Suzy Glowiak Hilton

SYNOPSIS AS INTRODUCED:

See Index

Amends the Property Tax Code. Provides that, in counties with a population of less than 50,000, the offices of township assessor and multi-township assessor are abolished upon the expiration of the term of a township assessor or multi-township assessor. Provides that the county assessor in a county with a population of less than 50,000 shall assume all the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of township assessors or multi-township assessors within the county. Amends the Dissolution of Townships in McHenry County Article of the Township Code. Renames the Article and makes it applicable to all counties under township organization. Provides that, upon petition of at least 5% of the voters in the township election immediately preceding the petition, the township board and corporate authorities of the municipality shall certify the question to the election authority and the authority shall cause to be submitted to the voters of the township and municipality at the next election a referendum to discontinue the township and to transfer all the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of the township to the municipality. Provides that, upon petition of at least 5% of the voters in the township election immediately preceding the petition in each adjacent township subject to proposed consolidation, each township board shall certify and cause to be submitted to the voters of the township, at the next election or consolidated election, a proposition to consolidate the existing townships. Amends the Counties Code and the Motor Fuel Tax Law making conforming changes.

LRB104 12238 RTM 22345 b

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 2-85 as follows:

6 (35 ILCS 200/2-85 new)

7 Sec. 2-85. Counties with a population of less than 50,000.

8 (a) In counties with a population of less than 50,000, the
9 offices of township assessor and multi-township assessor are
10 abolished upon the expiration of the term of a township
11 assessor or multi-township assessor.

12 (b) The county assessor in a county with a population of
13 less than 50,000 shall assume all the rights, powers, duties,
14 assets, property, liabilities, obligations, and
15 responsibilities of township assessors or multi-township
16 assessors within the county.

17 (c) No later than the beginning of December of the year
18 immediately preceding the year the offices are abolished, the
19 township assessor and multi-township assessors in a county
20 with a population of less than 50,000 shall deliver all public
21 records, as defined in the Local Records Act, relating to the
22 assessment of the township to the county assessor. The
23 township supervisors within the county shall transfer to the

1 county treasurer all funds relating to or budgeted for
2 purposes of township assessments. All accounts or tax moneys
3 for township assessment shall be paid to the county assessor
4 on or before the date the township assessor or multi-township
5 assessor is abolished.

6 Section 10. The Motor Fuel Tax Law is amended by changing
7 Section 8 as follows:

8 (35 ILCS 505/8) (from Ch. 120, par. 424)

9 Sec. 8. Distribution of proceeds of tax. Except as
10 provided in subsection (a-1) of this Section, Section 8a,
11 subdivision (h)(1) of Section 12a, Section 13a.6, and items
12 13, 14, 15, and 16 of Section 15, all money received by the
13 Department under this Act, including payments made to the
14 Department by member jurisdictions participating in the
15 International Fuel Tax Agreement, shall be deposited into a
16 special fund in the State treasury, to be known as the Motor
17 Fuel Tax Fund, and shall be used as follows:

18 (a) 2 1/2 cents per gallon of the tax collected on special
19 fuel under paragraph (b) of Section 2 and Section 13a of this
20 Act shall be transferred to the State Construction Account
21 Fund in the State Treasury; the remainder of the tax collected
22 on special fuel under paragraph (b) of Section 2 and Section
23 13a of this Act shall be deposited into the Road Fund;

24 (a-1) Beginning on July 1, 2019, an amount equal to the

1 amount of tax collected under subsection (a) of Section 2 and
2 Section 13a as a result of the increase in the tax rate under
3 subsection (a) of Section 2 authorized by Public Act 101-32
4 shall be deposited each month into the Transportation Renewal
5 Fund; provided, however, that the amount that represents the
6 part (b) portion of the rate under Section 13a shall be
7 deposited each month into the Motor Fuel Tax Fund and the
8 Transportation Renewal Fund in the same proportion as the
9 amount collected under subsection (a) of Section 2;

10 (b) \$420,000 shall be transferred each month to the State
11 Boating Act Fund to be used by the Department of Natural
12 Resources for the purposes specified in Article X of the Boat
13 Registration and Safety Act;

14 (c) \$3,500,000 shall be transferred each month to the
15 Grade Crossing Protection Fund to be used as follows: not less
16 than \$12,000,000 each fiscal year shall be used for the
17 construction or reconstruction of rail highway grade
18 separation structures; \$5,500,000 in fiscal year 2022 and each
19 fiscal year thereafter shall be transferred to the
20 Transportation Regulatory Fund and shall be used to pay the
21 cost of administration of the Illinois Commerce Commission's
22 railroad safety program in connection with its duties under
23 subsection (3) of Section 18c-7401 of the Illinois Vehicle
24 Code, with the remainder to be used by the Department of
25 Transportation upon order of the Illinois Commerce Commission,
26 to pay that part of the cost apportioned by such Commission to

1 the State to cover the interest of the public in the use of
2 highways, roads, streets, or pedestrian walkways in the county
3 highway system, township and district road system, or
4 municipal street system as defined in the Illinois Highway
5 Code, as the same may from time to time be amended, for
6 separation of grades, for installation, construction or
7 reconstruction of crossing protection or reconstruction,
8 alteration, relocation including construction or improvement
9 of any existing highway necessary for access to property or
10 improvement of any grade crossing and grade crossing surface
11 including the necessary highway approaches thereto of any
12 railroad across the highway or public road, or for the
13 installation, construction, reconstruction, or maintenance of
14 safety treatments to deter trespassing or a pedestrian walkway
15 over or under a railroad right-of-way, as provided for in and
16 in accordance with Section 18c-7401 of the Illinois Vehicle
17 Code. The Commission may order up to \$2,000,000 per year in
18 Grade Crossing Protection Fund moneys for the improvement of
19 grade crossing surfaces and up to \$300,000 per year for the
20 maintenance and renewal of 4-quadrant gate vehicle detection
21 systems located at non-high speed rail grade crossings. In
22 entering orders for projects for which payments from the Grade
23 Crossing Protection Fund will be made, the Commission shall
24 account for expenditures authorized by the orders on a cash
25 rather than an accrual basis. For purposes of this requirement
26 an "accrual basis" assumes that the total cost of the project

1 is expended in the fiscal year in which the order is entered,
2 while a "cash basis" allocates the cost of the project among
3 fiscal years as expenditures are actually made. To meet the
4 requirements of this subsection, the Illinois Commerce
5 Commission shall develop annual and 5-year project plans of
6 rail crossing capital improvements that will be paid for with
7 moneys from the Grade Crossing Protection Fund. The annual
8 project plan shall identify projects for the succeeding fiscal
9 year and the 5-year project plan shall identify projects for
10 the 5 directly succeeding fiscal years. The Commission shall
11 submit the annual and 5-year project plans for this Fund to the
12 Governor, the President of the Senate, the Senate Minority
13 Leader, the Speaker of the House of Representatives, and the
14 Minority Leader of the House of Representatives on the first
15 Wednesday in April of each year;

16 (d) of the amount remaining after allocations provided for
17 in subsections (a), (a-1), (b), and (c), a sufficient amount
18 shall be reserved to pay all of the following:

19 (1) the costs of the Department of Revenue in
20 administering this Act;

21 (2) the costs of the Department of Transportation in
22 performing its duties imposed by the Illinois Highway Code
23 for supervising the use of motor fuel tax funds
24 apportioned to municipalities, counties and road
25 districts;

26 (3) refunds provided for in Section 13, refunds for

1 overpayment of decal fees paid under Section 13a.4 of this
2 Act, and refunds provided for under the terms of the
3 International Fuel Tax Agreement referenced in Section
4 14a;

5 (4) from October 1, 1985 until June 30, 1994, the
6 administration of the Vehicle Emissions Inspection Law,
7 which amount shall be certified monthly by the
8 Environmental Protection Agency to the State Comptroller
9 and shall promptly be transferred by the State Comptroller
10 and Treasurer from the Motor Fuel Tax Fund to the Vehicle
11 Inspection Fund, and for the period July 1, 1994 through
12 June 30, 2000, one-twelfth of \$25,000,000 each month, for
13 the period July 1, 2000 through June 30, 2003, one-twelfth
14 of \$30,000,000 each month, and \$15,000,000 on July 1,
15 2003, and \$15,000,000 on January 1, 2004, and \$15,000,000
16 on each July 1 and October 1, or as soon thereafter as may
17 be practical, during the period July 1, 2004 through June
18 30, 2012, and \$30,000,000 on June 1, 2013, or as soon
19 thereafter as may be practical, and \$15,000,000 on July 1
20 and October 1, or as soon thereafter as may be practical,
21 during the period of July 1, 2013 through June 30, 2015,
22 for the administration of the Vehicle Emissions Inspection
23 Law of 2005, to be transferred by the State Comptroller
24 and Treasurer from the Motor Fuel Tax Fund into the
25 Vehicle Inspection Fund;

26 (4.5) beginning on July 1, 2019, the costs of the

1 Environmental Protection Agency for the administration of
2 the Vehicle Emissions Inspection Law of 2005 shall be
3 paid, subject to appropriation, from the Motor Fuel Tax
4 Fund into the Vehicle Inspection Fund; beginning in 2019,
5 no later than December 31 of each year, or as soon
6 thereafter as practical, the State Comptroller shall
7 direct and the State Treasurer shall transfer from the
8 Vehicle Inspection Fund to the Motor Fuel Tax Fund any
9 balance remaining in the Vehicle Inspection Fund in excess
10 of \$2,000,000;

11 (5) amounts ordered paid by the Court of Claims; and

12 (6) payment of motor fuel use taxes due to member
13 jurisdictions under the terms of the International Fuel
14 Tax Agreement. The Department shall certify these amounts
15 to the Comptroller by the 15th day of each month; the
16 Comptroller shall cause orders to be drawn for such
17 amounts, and the Treasurer shall administer those amounts
18 on or before the last day of each month;

19 (e) after allocations for the purposes set forth in
20 subsections (a), (a-1), (b), (c), and (d), the remaining
21 amount shall be apportioned as follows:

22 (1) Until January 1, 2000, 58.4%, and beginning
23 January 1, 2000, 45.6% shall be deposited as follows:

24 (A) 37% into the State Construction Account Fund,

25 and

26 (B) 63% into the Road Fund, \$1,250,000 of which

1 shall be reserved each month for the Department of
2 Transportation to be used in accordance with the
3 provisions of Sections 6-901 through 6-906 of the
4 Illinois Highway Code;

5 (2) Until January 1, 2000, 41.6%, and beginning
6 January 1, 2000, 54.4% shall be transferred to the
7 Department of Transportation to be distributed as follows:

8 (A) 49.10% to the municipalities of the State,

9 (B) 16.74% to the counties of the State having
10 1,000,000 or more inhabitants,

11 (C) 18.27% to the counties of the State having
12 less than 1,000,000 inhabitants,

13 (D) 15.89% to the road districts of the State.

14 If a township is dissolved under Article 24 of the
15 Township Code, the county in which the township lies
16 ~~McHenry County~~ shall receive any moneys that would have
17 been distributed to the township under this subparagraph,
18 except that a municipality that assumes the powers and
19 responsibilities of a road district under paragraph (6) of
20 Section 24-35 of the Township Code shall receive any
21 moneys that would have been distributed to the township in
22 a percent equal to the area of the dissolved road district
23 or portion of the dissolved road district over which the
24 municipality assumed the powers and responsibilities
25 compared to the total area of the dissolved township. The
26 moneys received under this subparagraph shall be used in

1 the geographic area of the dissolved township. If a
2 township is reconstituted as provided under Section 24-45
3 of the Township Code, the county in which the township or a
4 municipality lies ~~McHenry County or a municipality~~ shall
5 no longer be distributed moneys under this subparagraph.

6 As soon as may be after the first day of each month, the
7 Department of Transportation shall allot to each municipality
8 its share of the amount apportioned to the several
9 municipalities which shall be in proportion to the population
10 of such municipalities as determined by the last preceding
11 municipal census if conducted by the Federal Government or
12 Federal census. If territory is annexed to any municipality
13 subsequent to the time of the last preceding census the
14 corporate authorities of such municipality may cause a census
15 to be taken of such annexed territory and the population so
16 ascertained for such territory shall be added to the
17 population of the municipality as determined by the last
18 preceding census for the purpose of determining the allotment
19 for that municipality. If the population of any municipality
20 was not determined by the last Federal census preceding any
21 apportionment, the apportionment to such municipality shall be
22 in accordance with any census taken by such municipality. Any
23 municipal census used in accordance with this Section shall be
24 certified to the Department of Transportation by the clerk of
25 such municipality, and the accuracy thereof shall be subject
26 to approval of the Department which may make such corrections

1 as it ascertains to be necessary.

2 As soon as may be after the first day of each month, the
3 Department of Transportation shall allot to each county its
4 share of the amount apportioned to the several counties of the
5 State as herein provided. Each allotment to the several
6 counties having less than 1,000,000 inhabitants shall be in
7 proportion to the amount of motor vehicle license fees
8 received from the residents of such counties, respectively,
9 during the preceding calendar year. The Secretary of State
10 shall, on or before April 15 of each year, transmit to the
11 Department of Transportation a full and complete report
12 showing the amount of motor vehicle license fees received from
13 the residents of each county, respectively, during the
14 preceding calendar year. The Department of Transportation
15 shall, each month, use for allotment purposes the last such
16 report received from the Secretary of State.

17 As soon as may be after the first day of each month, the
18 Department of Transportation shall allot to the several
19 counties their share of the amount apportioned for the use of
20 road districts. The allotment shall be apportioned among the
21 several counties in the State in the proportion which the
22 total mileage of township or district roads in the respective
23 counties bears to the total mileage of all township and
24 district roads in the State. Funds allotted to the respective
25 counties for the use of road districts therein shall be
26 allocated to the several road districts in the county in the

1 proportion which the total mileage of such township or
2 district roads in the respective road districts bears to the
3 total mileage of all such township or district roads in the
4 county. After July 1 of any year prior to 2011, no allocation
5 shall be made for any road district unless it levied a tax for
6 road and bridge purposes in an amount which will require the
7 extension of such tax against the taxable property in any such
8 road district at a rate of not less than either .08% of the
9 value thereof, based upon the assessment for the year
10 immediately prior to the year in which such tax was levied and
11 as equalized by the Department of Revenue or, in DuPage
12 County, an amount equal to or greater than \$12,000 per mile of
13 road under the jurisdiction of the road district, whichever is
14 less. Beginning July 1, 2011 and each July 1 thereafter, an
15 allocation shall be made for any road district if it levied a
16 tax for road and bridge purposes. In counties other than
17 DuPage County, if the amount of the tax levy requires the
18 extension of the tax against the taxable property in the road
19 district at a rate that is less than 0.08% of the value
20 thereof, based upon the assessment for the year immediately
21 prior to the year in which the tax was levied and as equalized
22 by the Department of Revenue, then the amount of the
23 allocation for that road district shall be a percentage of the
24 maximum allocation equal to the percentage obtained by
25 dividing the rate extended by the district by 0.08%. In DuPage
26 County, if the amount of the tax levy requires the extension of

1 the tax against the taxable property in the road district at a
2 rate that is less than the lesser of (i) 0.08% of the value of
3 the taxable property in the road district, based upon the
4 assessment for the year immediately prior to the year in which
5 such tax was levied and as equalized by the Department of
6 Revenue, or (ii) a rate that will yield an amount equal to
7 \$12,000 per mile of road under the jurisdiction of the road
8 district, then the amount of the allocation for the road
9 district shall be a percentage of the maximum allocation equal
10 to the percentage obtained by dividing the rate extended by
11 the district by the lesser of (i) 0.08% or (ii) the rate that
12 will yield an amount equal to \$12,000 per mile of road under
13 the jurisdiction of the road district.

14 Prior to 2011, if any road district has levied a special
15 tax for road purposes pursuant to Sections 6-601, 6-602, and
16 6-603 of the Illinois Highway Code, and such tax was levied in
17 an amount which would require extension at a rate of not less
18 than .08% of the value of the taxable property thereof, as
19 equalized or assessed by the Department of Revenue, or, in
20 DuPage County, an amount equal to or greater than \$12,000 per
21 mile of road under the jurisdiction of the road district,
22 whichever is less, such levy shall, however, be deemed a
23 proper compliance with this Section and shall qualify such
24 road district for an allotment under this Section. Beginning
25 in 2011 and thereafter, if any road district has levied a
26 special tax for road purposes under Sections 6-601, 6-602, and

1 6-603 of the Illinois Highway Code, and the tax was levied in
2 an amount that would require extension at a rate of not less
3 than 0.08% of the value of the taxable property of that road
4 district, as equalized or assessed by the Department of
5 Revenue or, in DuPage County, an amount equal to or greater
6 than \$12,000 per mile of road under the jurisdiction of the
7 road district, whichever is less, that levy shall be deemed a
8 proper compliance with this Section and shall qualify such
9 road district for a full, rather than proportionate, allotment
10 under this Section. If the levy for the special tax is less
11 than 0.08% of the value of the taxable property, or, in DuPage
12 County if the levy for the special tax is less than the lesser
13 of (i) 0.08% or (ii) \$12,000 per mile of road under the
14 jurisdiction of the road district, and if the levy for the
15 special tax is more than any other levy for road and bridge
16 purposes, then the levy for the special tax qualifies the road
17 district for a proportionate, rather than full, allotment
18 under this Section. If the levy for the special tax is equal to
19 or less than any other levy for road and bridge purposes, then
20 any allotment under this Section shall be determined by the
21 other levy for road and bridge purposes.

22 Prior to 2011, if a township has transferred to the road
23 and bridge fund money which, when added to the amount of any
24 tax levy of the road district would be the equivalent of a tax
25 levy requiring extension at a rate of at least .08%, or, in
26 DuPage County, an amount equal to or greater than \$12,000 per

1 mile of road under the jurisdiction of the road district,
2 whichever is less, such transfer, together with any such tax
3 levy, shall be deemed a proper compliance with this Section
4 and shall qualify the road district for an allotment under
5 this Section.

6 In counties in which a property tax extension limitation
7 is imposed under the Property Tax Extension Limitation Law,
8 road districts may retain their entitlement to a motor fuel
9 tax allotment or, beginning in 2011, their entitlement to a
10 full allotment if, at the time the property tax extension
11 limitation was imposed, the road district was levying a road
12 and bridge tax at a rate sufficient to entitle it to a motor
13 fuel tax allotment and continues to levy the maximum allowable
14 amount after the imposition of the property tax extension
15 limitation. Any road district may in all circumstances retain
16 its entitlement to a motor fuel tax allotment or, beginning in
17 2011, its entitlement to a full allotment if it levied a road
18 and bridge tax in an amount that will require the extension of
19 the tax against the taxable property in the road district at a
20 rate of not less than 0.08% of the assessed value of the
21 property, based upon the assessment for the year immediately
22 preceding the year in which the tax was levied and as equalized
23 by the Department of Revenue or, in DuPage County, an amount
24 equal to or greater than \$12,000 per mile of road under the
25 jurisdiction of the road district, whichever is less.

26 As used in this Section, the term "road district" means

1 any road district, including a county unit road district,
2 provided for by the Illinois Highway Code; and the term
3 "township or district road" means any road in the township and
4 district road system as defined in the Illinois Highway Code.
5 For the purposes of this Section, "township or district road"
6 also includes such roads as are maintained by park districts,
7 forest preserve districts and conservation districts. The
8 Department of Transportation shall determine the mileage of
9 all township and district roads for the purposes of making
10 allotments and allocations of motor fuel tax funds for use in
11 road districts.

12 Payment of motor fuel tax moneys to municipalities and
13 counties shall be made as soon as possible after the allotment
14 is made. The treasurer of the municipality or county may
15 invest these funds until their use is required and the
16 interest earned by these investments shall be limited to the
17 same uses as the principal funds.

18 (Source: P.A. 102-16, eff. 6-17-21; 102-558, eff. 8-20-21;
19 102-699, eff. 4-19-22; 103-8, eff. 6-7-23.)

20 Section 15. The Counties Code is amended by changing
21 Section 5-1185 as follows:

22 (55 ILCS 5/5-1185)

23 Sec. 5-1185. Dissolution of townships ~~in McHenry County~~.
24 If a township ~~in McHenry County~~ dissolves as provided in

1 Article 24 of the Township Code, the county ~~McHenry County~~
2 shall assume the powers, duties, and obligations of each
3 dissolved township as provided in Article 24 of the Township
4 Code.

5 (Source: P.A. 101-230, eff. 8-9-19; 102-558, eff. 8-20-21.)

6 Section 20. The Township Code is amended by changing the
7 heading of Article 24 and Sections 22-10, 24-10, 24-15, 24-20,
8 24-25, 24-30, 24-35, 25-5, and 29-15 and by adding Section
9 22-5.1 as follows:

10 (60 ILCS 1/22-5.1 new)

11 Sec. 22-5.1. Consolidation Of Multiple Townships
12 Notwithstanding any other provision of law to the contrary,
13 upon petition of at least 5% of the voters in the township
14 election immediately preceding the petition in each adjacent
15 township subject to proposed consolidation, each township
16 board shall certify and cause to be submitted to the voters of
17 the township, at the next election or consolidated election, a
18 proposition to consolidate the existing townships into either:
19 (i) a new township; or (ii) an existing township. Each
20 petition shall include, but is not limited to:

21 (1) the name of the proposed new consolidated township
22 or the name of the existing township into which the
23 township shall be consolidated;

24 (2) a description of how each road district of a

1 dissolving township shall comply with subsection (c) of
2 Section 22-20 if a township shall be consolidating into an
3 existing township;

4 (3) the names of all townships that shall be
5 consolidating and a description of the area of
6 consolidation; and

7 (4) the date of the general election at which the
8 referendum shall be held.

9 For purposes of this Section, 3 or more townships are
10 adjacent when each township shares a boundary with at least
11 one of the other townships which are to be consolidated.

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

1 (60 ILCS 1/22-10)

2 Sec. 22-10. Referendum.

3 (a) Upon the adoption of resolutions under Section 22-5 by
4 each township, or upon receipt of petitions under Section
5 22-5.1 the township boards shall certify the question to the
6 election authority and the authority shall cause to be
7 submitted to the voters of each township at the general
8 election specified in the resolutions a referendum to
9 consolidate the townships. The referendum shall be
10 substantially in the following form:

11 Shall (names of townships) be consolidated into [a new
12 township called (name of proposed consolidated
13 township)/the township of (name of existing township)]?

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

15 The referendum is approved when a majority of the voters,
16 in each of the affected townships, approve the referendum.

17 (b) Before a referendum appears on the ballot under
18 subsection (a), each township board shall publish a copy of
19 the adopted resolution on the main page of the townships'
20 websites, if any, and in a newspaper having a general
21 circulation in each of the townships affected. The notice
22 shall be published at least 30 days before the date of the
23 general election in which the referendum will appear.

24 Each township board shall additionally mail a copy of the
25 adopted resolution, along with a copy of the referendum
26 language and a list of all taxes levied for general township

1 purposes in the affected townships, to every registered voter
2 in each township affected. The notice shall be mailed at least
3 30 days before the date of the general election in which the
4 referendum will appear.

5 (c) Notwithstanding any provision of law to the contrary,
6 no tax rate may be extended for any fund of the consolidated
7 district for the first levy year of the consolidated district
8 that exceeds any statutory maximum set forth for that fund,
9 unless the referendum also conforms to the requirements of the
10 Property Tax Extension Limitation Law or other statutory
11 provision setting forth that limitation.

12 (Source: P.A. 100-107, eff. 1-1-18.)

13 (60 ILCS 1/Art. 24 heading)

14 ARTICLE 24. DISSOLUTION OF

15 TOWNSHIPS ~~IN MCHENRY COUNTY~~

16 (Source: P.A. 101-230, eff. 8-9-19.)

17 (60 ILCS 1/24-10)

18 Sec. 24-10. Definition. As used in this Article,
19 "electors" means the registered voters of any single township
20 ~~in McHenry County.~~

21 (Source: P.A. 101-230, eff. 8-9-19.)

22 (60 ILCS 1/24-15)

23 Sec. 24-15. Dissolving a township ~~in McHenry County.~~ By

1 resolution, the board of trustees of any township ~~located in~~
2 ~~McHenry County~~ may submit a proposition to dissolve the
3 township to the electors of that township at the election next
4 following in accordance with the general election law. The
5 ballot shall be as provided for in Section 24-30.

6 (Source: P.A. 101-230, eff. 8-9-19.)

7 (60 ILCS 1/24-20)

8 Sec. 24-20. Petition requirements; notice.

9 (a) Subject to the petition requirements of Section 28-3
10 of the Election Code, petitions for a referendum to dissolve a
11 township ~~located in McHenry County~~ must be filed with the
12 governing board of the township, the county board ~~of McHenry~~
13 ~~County~~, and the ~~McHenry~~ County Clerk not less than 122 days
14 prior to any election held throughout the township. Petitions
15 must include:

16 (1) the name of the dissolving township;

17 (2) the date of dissolution; and

18 (3) signatures of a number of electors as follows: (A)
19 for any township, the number of signatures shall be the
20 larger of (i) 5% of the total ballots cast in the township
21 in the immediately preceding election that is of an
22 election type comparable to the election for which the
23 petition is being filed, or (ii) 250 signatures. All
24 signatures gathered under this paragraph (3) must be
25 signed within 180 days prior to the filing of a petition.

1 (b) The proposed date of dissolution shall be at least 90
2 days after the date of the election at which the referendum is
3 to be voted upon.

4 (c) If a valid petition is filed under subsection (a),
5 then the ~~McHenry~~ County Clerk shall, by publication in one or
6 more newspapers of general circulation within the county and
7 on the county's website, not less than 90 days prior to the
8 election at which the referendum is to be voted on, give notice
9 in substantially the following form:

10 NOTICE OF PETITION TO DISSOLVE (dissolving township).

11 Residents of (dissolving township) and ~~McHenry~~ (County)
12 are notified that a petition has been filed with
13 (dissolving township) and ~~McHenry~~ (County) requesting a
14 referendum to dissolve (dissolving township) on (date of
15 dissolution) with all real and personal property, and any
16 other assets, together with all personnel, contractual
17 obligations, and liabilities being transferred to ~~McHenry~~
18 County.

19 (Source: P.A. 101-230, eff. 8-9-19.)

20 (60 ILCS 1/24-30)

21 Sec. 24-30. Referendum; voting.

22 (a) Subject to the requirements of Section 16-7 of the
23 Election Code, the referendum described in Section 24-25 shall
24 be in substantially the following form on the ballot:

NO

(Source: P.A. 101-230, eff. 8-9-19.)

(1) On or before the date of dissolution, all real and personal property, and any other assets, together with all personnel, contractual obligations, and liabilities of the dissolving township and road districts wholly within the boundaries of the dissolving township shall be transferred

1 to the ~~McHenry~~ County. All funds of the dissolved township
2 and dissolved road districts shall be used solely on
3 behalf of the residents of the geographic area within the
4 boundaries of the dissolved township.

5 After the transfer of property to the county under
6 this paragraph, all park land, cemetery land, buildings,
7 and facilities within the geographic area of the
8 dissolving township must be utilized for the primary
9 benefit of the geographic area of the dissolving township.
10 Proceeds from the sale of the park land, cemetery land,
11 buildings, or facilities after transfer to the county must
12 be utilized for the sole benefit of the geographic area of
13 the dissolved township.

14 (2) On the date of dissolution, the dissolving
15 township is dissolved.

16 (3) On and after the date of dissolution, all rights
17 and duties of the dissolved township may be exercised by
18 the ~~McHenry~~ County Board solely on behalf of the residents
19 of the geographic area within the boundaries of the
20 dissolved township. The duties that may be exercised by
21 the county include, but are not limited to, the
22 administration of a dissolved township's general
23 assistance program, maintenance and operation of a
24 dissolved township's cemeteries, and the Chief County
25 Assessment officer of the ~~McHenry~~ County exercising the
26 duties of the township assessor.

1 (4) The ~~McHenry~~ County Board shall not extend a
2 property tax levy that is greater than 90% of the property
3 tax levy extended by the dissolved township or road
4 districts for the duties taken on by the ~~McHenry~~ County.
5 This property tax levy may not be extended outside the
6 boundaries of the dissolved township. In all subsequent
7 years, this levy shall be bound by the provisions of the
8 Property Tax Extension Limitation Law.

9 A tax levy extended under this paragraph may be used
10 for the purposes allowed by the statute authorizing the
11 tax levy or to pay liabilities of the dissolved township
12 or dissolved road districts that were transferred to the
13 county under paragraph (1). The taxpayers within the
14 boundaries of the dissolved township are responsible to
15 pay any liabilities transferred to the county: the county
16 shall reduce spending within the boundaries of the former
17 township in the amount necessary to pay off any
18 liabilities transferred to the county under paragraph (1)
19 that are not covered by the assets enumerated in paragraph
20 (1) or taxes under this paragraph.

21 (5) All road districts wholly within the boundaries of
22 the dissolving township are dissolved on the date of
23 dissolution of the dissolving township, and all powers and
24 responsibilities of each road district are transferred to
25 the ~~McHenry~~ County except as provided in paragraph (6).

26 (6) The county board ~~of McHenry County~~ shall give

1 written notice to each municipality whose governing board
2 meets within the boundaries of a dissolving township that
3 the municipality may make an offer, on or before 60 days
4 after the date of dissolution of the dissolving township,
5 that the municipality will assume all of the powers and
6 responsibilities of a road district or road districts
7 wholly inside the dissolving township. The notice shall be
8 sent to each municipality on or before 30 days after the
9 date of dissolution of the township. Any eligible
10 municipality may, with consent of its governing board,
11 make an offer to assume all of the powers and
12 responsibilities of the dissolving township's road
13 district or road districts. A municipality may offer to
14 assume the powers and responsibilities only for a limited
15 period of time. If one or more offers are received by the
16 ~~McHenry~~ County on or before 60 days after the date of
17 dissolution of the dissolving township, the county board
18 ~~of McHenry County~~ shall select the best offer or offers
19 that the board determines would be in the best interest
20 and welfare of the affected resident population. If no
21 municipality makes an offer or if no satisfactory offer is
22 made, the powers and duties of the dissolving township's
23 road district or road districts are retained by the
24 ~~McHenry~~ County. The municipality that assumes the powers
25 and duties of the dissolving township's road district or
26 road districts shall not extend a road district property

1 tax levy under Division 5 of Article 6 of the Illinois
2 Highway Code that is greater than 90% of the road district
3 property tax levy that was extended by the county on
4 behalf of the dissolving township's road district or road
5 districts for the duties taken on by the municipality.

6 (7) On the date of dissolution of the township or road
7 district, elected and appointed township officers and road
8 commissioners shall cease to hold office. An elected or
9 appointed township official or township road commissioner
10 shall not be compensated for any other duties performed
11 after the dissolution of the township or road district
12 that they represented. An elected township official or
13 township road commissioner shall not have legal recourse
14 relating to the ceasing of their elected or appointed
15 positions upon the ceasing of their position.

16 (Source: P.A. 101-230, eff. 8-9-19.)

17 (60 ILCS 1/25-5)

18 Sec. 25-5. Referendum ~~Petition and referendum~~ to
19 discontinue township organization. Upon the adoption of an
20 ordinance or resolution of the county board, or upon the
21 petition of at least 5% ~~10%~~ of the ~~registered~~ voters in the
22 township election immediately preceding the petition of each
23 township of a county, as determined on the date registration
24 closed before the regular election next preceding the last day
25 on which the petition may be filed, that has adopted township

1 organization, the county board shall certify and cause to be
2 submitted to the voters of the county, at the next general
3 election, the question of the continuance of township
4 organization. A signature on a petition shall not be valid or
5 counted in considering the petition unless the form
6 requirements are complied with and the date of each signature
7 is less than 90 days before the last day for filing the
8 petition. The statement of the person who circulates the
9 petition must include an attestation (i) indicating the dates
10 on which that sheet was circulated, (ii) indicating the first
11 and last date on which that sheet was circulated, or (iii)
12 certifying that none of the signatures on the sheet was signed
13 more than 90 days before the last day for filing the petition.
14 The proposition shall be substantially in the form:

15 Shall township organization be continued in (name of
16 county)?

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

18 The petition shall be treated and the proposition
19 certified in the manner provided by the general election law.
20 After the proposition has once been submitted to the
21 electorate, the proposition shall not be resubmitted for 4
22 years.

23 (Source: P.A. 89-235, eff. 8-4-95; 90-112, eff. 1-1-98.)

24 (60 ILCS 1/29-15)

25 Sec. 29-15. Referendum for cessation of township. Upon the

1 adoption of resolutions under Section 29-5 by both the
2 township and municipality, or upon petition of at least 5% of
3 the voters in the township election immediately preceding the
4 petition, the township board and corporate authorities of the
5 municipality shall certify the question to the election
6 authority and the authority shall cause to be submitted to the
7 voters of the township and municipality at the next election a
8 referendum to discontinue the township and to transfer all the
9 rights, powers, duties, assets, property, liabilities,
10 obligations, and responsibilities of the township to the
11 municipality. The referendum shall be substantially in the
12 following form:

13 Shall the Township of (name of township) cease?

14 The votes shall be recorded as "Yes" or "No". The
15 referendum is approved when a majority of the voters, in both
16 the township and municipality, approve the referendum.

17 If the referendum is approved, there shall be no further
18 nominations or elections for clerks, assessors, collectors,
19 highway commissioners, supervisors, or trustees of the
20 township or highway commission, and the terms of all such
21 officers currently serving shall continue until the third
22 Monday of May of the year of the consolidated election in which
23 township officials are elected next following the approval of
24 a referendum under this Section.

25 (Source: P.A. 100-107, eff. 1-1-18.)

1 INDEX

2 Statutes amended in order of appearance

3 35 ILCS 200/2-85 new

4 35 ILCS 505/8 from Ch. 120, par. 424

5 55 ILCS 5/5-1185

6 60 ILCS 1/22-5.1 new

7 60 ILCS 1/22-10

8 60 ILCS 1/Art. 24 heading

9 60 ILCS 1/24-10

10 60 ILCS 1/24-15

11 60 ILCS 1/24-20

12 60 ILCS 1/24-30

13 60 ILCS 1/24-35

14 60 ILCS 1/25-5

15 60 ILCS 1/29-15