



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3369

by Rep. Tom Weber

SYNOPSIS AS INTRODUCED:

70 ILCS 2805/33

from Ch. 42, par. 444

Amends the Sanitary District Act of 1936. Provides that the board of trustees of the of the Village of Lindenhurst may, by ordinance, terminate the terms of all members of the board of trustees of the Lindenhurst Sanitary District and the powers of the Lindenhurst Sanitary District shall be exercised by the board of trustees of the Village, including the District's authority to levy and collect taxes. Provides that once there are no debts of the District or the Village has sufficient funds on hand or available to satisfy any debts of the District, the board of trustees of the Village may dissolve the Lindenhurst Sanitary District and acquire all of the District's assets and responsibilities if it adopts an ordinance stating: (1) the reasons for dissolving the District; (2) that there are no outstanding debts of the District or that the Village has sufficient funds on hand or available to satisfy the debts; (3) that no federal or State permit or grant will be impaired by dissolution of the District; and (4) that the Village assumes all assets and responsibilities of the District. Requires the Village of Lindenhurst to notify the Illinois Environmental Protection Agency of the dissolution of the District. Effective immediately.

LRB101 10833 AWJ 55964 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 Sanitary District Act of 1936 is amended by
5 changing Section 33 as follows:

6 (70 ILCS 2805/33) (from Ch. 42, par. 444)

7 Sec. 33. Except as provided in Section 33.1, any sanitary
8 district created under this Act which does not have outstanding
9 and unpaid any revenue bonds issued under the provisions of
10 this Act may be dissolved as follows:

11 (a) Any 50 electors residing within the area of any
12 sanitary district may file with the circuit clerk of the county
13 in which the area is situated, a petition addressed to the
14 circuit court to cause submission of the question whether the
15 sanitary district shall be dissolved. Upon the filing of the
16 petition with the clerk, the court shall certify the question
17 to the proper election officials who shall submit the question
18 at an election in accordance with the general election law, and
19 give notice of the election in the manner provided by the
20 general election law.

21 The question shall be in substantially the following form:

22 -----

23 "Shall the sanitary YES

1 district of be -----
 2 dissolved?" NO

3 -----

4 If a majority of the votes cast on this question are in
 5 favor of dissolution of the sanitary district, then such
 6 organization shall cease, and the sanitary district is
 7 dissolved, and the court shall direct the sanitary district to
 8 discharge all outstanding obligations.

9 (b) The County of Lake may dissolve the Fox Lake Hills
 10 Sanitary District, thereby acquiring all of the District's
 11 assets and responsibilities, upon adopting a resolution
 12 stating: (1) the reasons for dissolving the District; (2) that
 13 there are no outstanding debts of the District or that the
 14 County has sufficient funds on hand or available to satisfy
 15 such debts; (3) that no federal or State permit or grant will
 16 be impaired by dissolution of the District; and (4) that the
 17 County assumes all assets and responsibilities of the District.
 18 Upon dissolution of the District, the statutory powers of the
 19 former District shall be exercised by the county board of the
 20 Lake County. Within 60 days after the effective date of such
 21 resolution, the County of Lake shall notify the Illinois
 22 Environmental Protection Agency regarding the dissolution of
 23 the Fox Hills Sanitary District.

24 (c) The board of trustees of the of the Village of
 25 Lindenhurst may, by ordinance, terminate the terms of all
 26 members of the board of trustees of the Lindenhurst Sanitary

1 District and the powers of the Lindenhurst Sanitary District
2 shall be exercised by the board of trustees of the Village of
3 Lindenhurst, including the District's authority to levy and
4 collect taxes.

5 Once there are no debts of the Lindenhurst Sanitary
6 District or the Village of Lindenhurst has sufficient funds on
7 hand or available to satisfy any debts of the District, the
8 board of trustees of the Village of Lindenhurst may dissolve
9 the Lindenhurst Sanitary District and acquire all of the
10 District's assets and responsibilities if it adopts an
11 ordinance stating: (1) the reasons for dissolving the District;
12 (2) that there are no outstanding debts of the District or that
13 the Village has sufficient funds on hand or available to
14 satisfy the debts; (3) that no federal or State permit or grant
15 will be impaired by dissolution of the District; and (4) that
16 the Village assumes all assets and responsibilities of the
17 District. Upon dissolution of the District, the statutory
18 powers of the former District shall be exercised by the board
19 of trustees of the Village of Lindenhurst. No later than 60
20 days after the effective date of the ordinance, the Village of
21 Lindenhurst shall notify the Illinois Environmental Protection
22 Agency regarding the dissolution of the District.

23 (Source: P.A. 99-783, eff. 8-12-16; 100-201, eff. 8-18-17;
24 100-874, eff. 1-1-19.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.