



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2994

Introduced 2/19/2021, by Rep. Tim Butler

SYNOPSIS AS INTRODUCED:

60 ILCS 1/29-5
60 ILCS 1/29-10
60 ILCS 1/29-15
60 ILCS 1/29-20
60 ILCS 1/29-25

Amends the Discontinuance of Township within Coterminous Municipality Division of the Township Code. In provisions allowing a township to discontinue and consolidate with a coterminous, or substantially coterminous, municipally, allows a county to initiate discontinuance of the township with the county taking control of the former township's operations. Makes conforming changes. Effective immediately.

LRB102 13027 AWJ 18370 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 Township Code is amended by changing
5 Sections 29-5, 29-10, 29-15, 29-20, and 29-25 as follows:

6 (60 ILCS 1/29-5)

7 Sec. 29-5. Resolutions to discontinue and abolish a
8 township. The county board or township board and the corporate
9 authorities of a coterminous, or substantially coterminous,
10 municipality may by resolutions of the county board or
11 township board and corporate authorities, and after referendum
12 of the voters of the county or township and municipality, as
13 applicable: (1) discontinue and abolish the township; (2)
14 transfer all the rights, powers, duties, assets, property,
15 liabilities, obligations, and responsibilities of the township
16 to the county or the municipality, as applicable; and (3)
17 cease and dissolve all township road districts with the
18 district's jurisdiction and authority transferred to the
19 county or municipality, as applicable upon the dissolution of
20 the township.

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

22 (60 ILCS 1/29-10)

1 Sec. 29-10. Notice.

2 (a) Before passing resolutions under Section 29-5, the
3 township board and the corporate authorities of the
4 municipality or the county board shall hold public hearings on
5 those matters after notice of the hearing has been published
6 on the main page of the respective entities' websites, if any,
7 and in a newspaper having general circulation in the township
8 and municipality or the county. The notice shall be published
9 at least 30 days before the date of the hearing.

10 (b) Before a referendum is placed on the ballot under
11 Section 29-15, each township board shall publish a copy of the
12 resolution adopted under Section 29-5 on the main page of the
13 respective entities' websites, if any, and in a newspaper of
14 general circulation in the township and municipality or county
15 affected. The notice shall be published at least 30 days
16 before the date of the general election in which the
17 referendum will appear.

18 Each township board shall additionally mail a copy of the
19 adopted resolution, along with a copy of the referendum
20 language, the date the referendum will appear, and a list of
21 all taxes levied in the affected townships, to every
22 registered voter in each township affected. The notice shall
23 be mailed at least 30 days before the date of the election in
24 which the referendum will appear.

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

1 (60 ILCS 1/29-15)

2 Sec. 29-15. Referendum for cessation of township. Upon the
3 adoption of resolutions under Section 29-5 by both the
4 township and municipality, the township board and corporate
5 authorities of the municipality shall certify the question to
6 the election authority and the authority shall cause to be
7 submitted to the voters of the township and municipality at
8 the next election a referendum to discontinue the township and
9 to transfer all the rights, powers, duties, assets, property,
10 liabilities, obligations, and responsibilities of the township
11 to the municipality or the county, as applicable. The
12 referendum shall be substantially in the following form:

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

14 The votes shall be recorded as "Yes" or "No". If the
15 municipality is the consolidating entity, the ~~The~~ referendum
16 is approved when a majority of the voters, in both the township
17 and municipality, approve the referendum. If the county is the
18 consolidating entity, the referendum is approved when the
19 majority of voters in both the township and the county at large
20 approve the referendum.

21 If the referendum is approved, there shall be no further
22 nominations or elections for clerks, assessors, collectors,
23 highway commissioners, supervisors, or trustees of the
24 township or highway commission, and the terms of all such
25 officers currently serving shall continue until the third
26 Monday of May of the year of the consolidated election in which

1 township officials are elected next following the approval of
2 a referendum under this Section.

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

4 (60 ILCS 1/29-20)

5 Sec. 29-20. Cessation of township. On the third Monday in
6 May in the year of the consolidated election in which township
7 officials are elected next following the approval of a
8 referendum under Section 29-15:

9 (1) the township is discontinued and abolished and all
10 the rights, powers, duties, assets, property, liabilities,
11 obligations, and responsibilities of the township shall
12 vest in and be assumed by the municipality or the county,
13 including the authority to levy property taxes for
14 township purposes in the same manner as the dissolved
15 township without an additional ordinance, resolution, or
16 referendum;

17 (2) all township officers shall cease to hold office;

18 (3) the municipality or the county shall exercise all
19 duties and responsibilities of the township officers as
20 provided in the Township Code, the Illinois Public Aid
21 Code, the Property Tax Code, and the Illinois Highway
22 Code, as applicable. If the municipality is the
23 consolidating entity, the ~~The~~ municipality may enter into
24 an intergovernmental agreement with the county or the
25 State to administer the duties and responsibilities of the

1 township officers for services under its jurisdiction and,
2 if the county is the consolidating entity, the county may
3 enter into an intergovernmental agreement with the
4 municipality or the State to administer the duties and
5 responsibilities of the township officers for service
6 under its jurisdiction; and

7 (4) any road district located within the township is
8 abolished and its jurisdiction, rights, powers, duties,
9 assets, property, liabilities, obligations, and
10 responsibilities shall vest in and be assumed by the
11 municipality or the county and the highway commissioner of
12 the abolished road district shall cease to hold office.
13 The corporate authorities of the municipality or the
14 county, as applicable shall: exercise the taxing authority
15 of a road district abolished under this Section; exercise
16 all duties and responsibilities of the highway
17 commissioner as provided in the Illinois Highway Code; and
18 for purposes of distribution of revenue, assume the
19 powers, duties, and obligations of the road district in
20 the discontinued township. If the municipality is the
21 consolidating entity, the ~~The~~ corporate authorities of a
22 municipality may enter into an intergovernmental agreement
23 or a contract with the county, another municipality, or a
24 private contractor to administer the roads which were
25 under the jurisdiction of the abolished road district. If
26 the county is the consolidating entity, the county board

1 may enter into an intergovernmental agreement or a
2 contract with a municipality or a private contractor to
3 administer the roads which were under the jurisdiction of
4 the abolished road district.

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

6 (60 ILCS 1/29-25)

7 Sec. 29-25. Business, records, and property of
8 discontinued township. The records of a township discontinued
9 under this Article and consolidated by the municipality shall
10 be deposited in the municipality's city clerk's office. The
11 records of a township discontinued under this Article and
12 consolidated by the county shall be deposited in the county
13 clerk's office. The municipality or the county may close up
14 all unfinished business of the township and sell and dispose
15 of any of the property belonging to the township for benefit of
16 the inhabitants of the municipality or the county, as
17 applicable.

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

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.