

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 Mosquito Abatement District Act is amended
5 by changing Sections 7, 8, and 10 as follows:

6 (70 ILCS 1005/7) (from Ch. 111 1/2, par. 80)

7 Sec. 7. The board of trustees of such district shall have
8 power to take all necessary or proper steps for the
9 surveillance and monitoring of ticks and the surveillance,
10 monitoring, and extermination of mosquitoes and rats,~~flies or~~
11 ~~other insects~~ within the district, and, subject to the
12 paramount control of the municipal or other public
13 authorities, to abate as nuisances all stagnant pools of water
14 and other breeding places for mosquitoes and rats,~~flies or~~
15 ~~other insects~~ within the district; to purchase such supplies
16 and materials and to employ such labor and assistants as may be
17 necessary or proper in furtherance of the objects of this Act,
18 and if necessary or proper, in the furtherance of the same, to
19 build, construct and thereafter to repair and maintain
20 necessary levees, cuts, canals or channels upon any land
21 within the district, and to acquire by purchase, condemnation
22 or other lawful means, in the name of the district, any
23 necessary lands, rights of way, easements, property or

1 material requisite or necessary for any such purpose; to make
2 contracts to indemnify or compensate any owner of land or
3 other property for any injury or damage necessarily caused by
4 the exercise of the powers of this Act conferred or arising out
5 of the use, taking or damage of such property for any such
6 purposes, and generally to do any and all things necessary or
7 incident to the powers hereby granted and to carry out the
8 objects specified herein.

9 (Source: Laws 1927, p. 694.)

10 (70 ILCS 1005/8) (from Ch. 111 1/2, par. 81)

11 Sec. 8. The board of trustees of any mosquito abatement
12 district shall, in its work, advise and cooperate with the
13 Department ~~of Public Health of the State~~, and the board of
14 trustees of such district shall submit to such Department, on
15 or before January 1st of each year, a report of the work done
16 and results obtained by the district during the preceding
17 year.

18 The board of trustees of any mosquito abatement district,
19 or its designee, for the limited purposes of cooperation with
20 the Department, shall conduct routine surveillance of
21 Department-identified vectors ~~mosquitoes~~ to detect the
22 presence of vector-borne ~~mosquito-borne~~ diseases of public
23 health significance. The surveillance required by the
24 Department under this Section does not grant a mosquito
25 abatement district any greater independent authority to

1 monitor and exterminate than those powers granted in Section
2 7, and a mosquito abatement district, or its designee, shall
3 notify a forest preserve district or conservation district
4 prior to or within 48 hours after accessing the respective
5 forest preserve district's or conservation district's land for
6 surveillance required by the Department. This notification
7 requirement does not apply to mosquitoes, rats, or tick
8 surveillance performed by the mosquito abatement district or
9 its designee. The surveillance shall be conducted in
10 accordance with mosquito abatement and control guidelines as
11 set forth by the U.S. Centers for Disease Control and
12 Prevention. Areas reporting disease in humans shall be
13 included in the surveillance activities. Mosquito abatement
14 districts shall report to the local certified public health
15 department and the Department the results of any positive
16 mosquito, tick, or vector samples infected with any arboviral
17 or bacterial infections, including, but not limited to: West
18 Nile Virus, St. Louis Encephalitis, ~~and~~ Eastern Equine
19 Encephalitis, Borrelia burgdorferi, rickettsia species,
20 ehrlichia species, and other vector-borne diseases. Reports
21 shall be made to the local certified public health
22 department's director of environmental health, or a designee
23 of the department, within 24 hours after receiving a positive
24 report. The report shall include the type of infection, the
25 number of vectors ~~mosquitoes~~ collected in the trapping device,
26 the type of trapping device used, and the type of laboratory

1 testing used to confirm the infection. Any trustee of a
2 mosquito abatement district, or designee of the board of
3 trustees of a mosquito abatement district, that fails to
4 comply with the requirements of this Act is guilty of a Class A
5 Misdemeanor.

6 As used in this Section:

7 "Department" means the Department of Public Health.

8 "Vector" means any of the following that have been
9 identified by the Department as necessary to be surveilled by
10 a mosquito abatement district for the purposes of supporting
11 the Department's mandate to investigate the causes of
12 dangerously contagious or infectious diseases: arthropods,
13 rodents, including rats and mice, birds, or other animals
14 capable of carrying disease-producing organisms to a human or
15 animal host. "Vector" does not include animals that transmit
16 disease to humans only when used as human food.

17 (Source: P.A. 93-734, eff. 7-14-04.)

18 (70 ILCS 1005/10) (from Ch. 111 1/2, par. 83)

19 Sec. 10. Any territory lying adjacent and contiguous to a
20 mosquito abatement district, and not part of another mosquito
21 abatement district, may be annexed to such district in the
22 following manner:

23 (a) Upon petition in writing, describing the territory
24 proposed to be annexed and signed by a majority of the legal
25 voters in such territory and by the owners of more than half of

1 the taxable property in such territory as shown by the last
2 ascertained equalized value of the taxable property in such
3 territory, being filed with the trustees of such mosquito
4 abatement district, such trustees may annex such territory by
5 a resolution which shall be published at least once in a
6 newspaper having a general circulation in the territory and
7 shall include a notice of (1) the specific number of voters
8 required to sign a petition requesting that the question of
9 the adoption of the resolution be submitted to the electors of
10 the territory; (2) the time in which the petition must be
11 filed; and (3) the date of the prospective referendum. The
12 county clerk of the county in which the territory is situated
13 shall provide a petition form to any individual requesting
14 one. The resolution shall be effective 30 days from the date of
15 publication and is subject to a referendum, if such referendum
16 is requested, prior to the effective date of the resolution,
17 by the voters in the district equal to 10% or more of the
18 registered voters in the district. Such trustees may also
19 order the question of the annexation of such territory to be
20 submitted to the legal voters of such district at a regular
21 election therein by certifying the question to the proper
22 election officials. Notice of such election shall be given and
23 the election conducted in the manner provided by the general
24 election law. The proposition shall be stated, "Shall the
25 territory (describing it) be annexed to The Mosquito
26 Abatement District?" If the majority of all the votes cast on

1 the question is in favor of such annexation, the board of
2 trustees shall so certify to the county clerk, and within ten
3 days of such election the trustees by an order duly entered
4 upon their records shall annex such territory to the district
5 and shall file a map of the annexed territory in the office of
6 the county clerk of the county where the annexed territory is
7 situated. Thereupon such territory shall be deemed annexed to
8 and shall be a part of such mosquito abatement district.

9 (b) Whenever a mosquito abatement district operating
10 within territory predominantly in a municipality or 2 or more
11 municipalities that would become coterminous or nearly
12 coterminous with the municipality or municipalities upon the
13 annexation of additional territory within the municipality or
14 municipalities ~~contains over 90% of territory of a specific~~
15 ~~city or village, the mosquito abatement district may annex~~
16 ~~additional adjacent and contiguous territory within that city~~
17 ~~or village,~~ but not incorporated within a mosquito abatement
18 district, the mosquito abatement district may annex the
19 additional territory by the passage of an ordinance to that
20 effect. The ordinance shall describe the territory annexed
21 together with an accurate map of the annexed territory.

22 The ordinance authorizing the annexation shall be
23 published within 10 days after the ordinance has been adopted,
24 in one or more newspapers having a general circulation within
25 the territory. The publication of the ordinance shall be
26 accompanied by a notice of (1) the specific number of voters

1 required to sign a petition requesting the question of
2 annexation; (2) the time within which the petition must be
3 filed; and (3) the date of the prospective referendum. The
4 county clerk of the county in which the territory is situated
5 shall provide a petition form to any individual requesting
6 one.

7 The ordinance shall take effect 30 days after the date of
8 publication unless a referendum is requested prior to the
9 effective date of the ordinance by 10% or more of the
10 registered voters in the territory. The question of the
11 annexation of the territory may be submitted to the legal
12 voters of the territory at a regular election by certifying
13 the question to the proper election officials. Notice of the
14 election shall be given and the election conducted in the
15 manner provided by the general election law. The proposition
16 shall be stated, "Shall the territory (describing it) be
17 annexed to The Mosquito Abatement District?" If the
18 majority of ~~all the~~ votes cast on the question is in favor of
19 the annexation, the territory shall be deemed annexed to and
20 shall be a part of the mosquito abatement district. If the
21 ordinance becomes effective 30 days after the date of
22 publication or is approved by referendum, a copy of the
23 ordinance shall be filed in the offices of the county clerk and
24 recorder of each county in which the annexation takes place.

25 No territory may be annexed under this subsection ~~(i) more~~
26 ~~than one year after it has first been included in that city or~~

1 ~~village unless the territory so annexed is 50 acres or less or~~
2 ~~(ii)~~ if the annexation would expand the mosquito abatement
3 district's boundaries outside of a county unless the district
4 already contains territory in that county.
5 (Source: P.A. 95-664, eff. 10-11-07.)