

1 AN ACT in relation to townships.

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 85-10, 140-5, and 240-5 as follows:

6 (60 ILCS 1/85-10)

7 Sec. 85-10. Township corporate powers.

8 (a) Every township has the corporate capacity to
9 exercise the powers granted to it, or necessarily implied,
10 and no others. Every township has the powers specified in
11 this Section.

12 (b) A township may sue and be sued.

13 (c) A township may acquire (by purchase, gift, or
14 legacy) and hold property, both real and personal, for the
15 use of its inhabitants and may sell and convey that property.
16 A township may purchase any real estate or personal property
17 for public purposes under contracts providing for payment in
18 installments over a period of time of not more than 20 years
19 in the case of real estate and not more than 10 years in the
20 case of personal property. A township may finance the
21 purchase of any real estate or personal property for public
22 purpose under finance contracts providing for payment in
23 installments over a period of time of not more than 20 years
24 in the case of real estate and not more than 10 years in the
25 case of personal property. A township may construct a
26 township hall under contracts providing for payment over a
27 period of time of not more than 10 5 years. The interest on
28 the unpaid balance shall not exceed that permitted in the
29 Bond Authorization Act.

30 (d) A township may make all contracts necessary in the
31 exercise of the township's powers.

1 (e) A township may expend or contract for the
2 expenditure of any federal funds made available to the
3 township by law for any purpose for which taxes imposed upon
4 township property or property within the township may be
5 expended.

6 (f) A township may acquire (singly or jointly with a
7 municipality or municipalities) land or any interest in land
8 located within its township limits. The township may acquire
9 the land or interest by gift, purchase, or otherwise, but not
10 by condemnation. A township may (singly or jointly) improve
11 or arrange for the improvement of the land for industrial or
12 commercial purposes and may donate and convey the land or
13 interest in land so acquired and so improved to the Illinois
14 Development Finance Authority.

15 (g) (Blank)

16 (h) It is the policy of this State that all powers
17 granted either expressly or by necessary implication by this
18 Code, any other Illinois statute, or the Illinois
19 Constitution to townships may be exercised by those townships
20 notwithstanding effects on competition. It is the intention
21 of the General Assembly that the "State action exemption" to
22 the application of federal antitrust statutes be fully
23 available to townships to the extent their activities are
24 authorized by law as stated in this Code.

25 (i) A township may receive funds under the federal
26 Housing and Community Development Act of 1974 and may expend
27 or contract for the expenditure of those funds and other
28 township funds for the activities specified in Section 105 of
29 that Act. The powers granted under this subsection (i) are
30 in addition to powers otherwise possessed by a township and
31 shall not be construed as a limitation of those other powers.

32 (j) A township may establish reasonable fees for
33 recreation and instructional programs sponsored by the
34 township.

1 (Source: P.A. 88-62; incorporates 88-356 and 88-360; 88-670,
2 eff. 12-2-94; 89-331, eff. 8-17-95.)

3 (60 ILCS 1/140-5)

4 Sec. 140-5. Petition and referendum for township hall.

5 (a) Whenever it is desired to build, purchase, or lease,
6 for a longer period than 10 5 years, a township hall, a
7 multi-purpose senior center, or a combined township hall and
8 multi-purpose senior center in any township, at least 25
9 electors of the township may, before the time of giving
10 notice of the annual township meeting, file with the township
11 clerk a petition in writing that the proposition of building,
12 purchasing, or leasing a township hall, a multi-purpose
13 senior center, or a combination township hall and
14 multi-purpose senior center and issuing bonds for the
15 building, purchase, or lease be submitted to the voters of
16 the township at the next ensuing general election. The
17 proposition shall be clearly stated in the petition
18 substantially as follows: "Shall (name of township) borrow
19 \$(amount) to (build, purchase, or lease) a (township hall,
20 multi-purpose senior center, or combination multi-purpose
21 township hall and senior center) and issue bonds for the
22 (building, purchase, or lease)?" The petition shall be filed
23 in the office of the township clerk.

24 (b) The township clerk shall certify the proposition to
25 the proper election officials, who shall submit the
26 proposition to the legal voters of the township at an
27 election in accordance with the general election law. The
28 form of the proposition shall be substantially as follows:

29 Shall (name of township) borrow \$(amount) to (
30 build, purchase, or lease) a (township hall,
31 multi-purpose senior center, or combination township hall
32 and multi-purpose senior center) and issue bonds for the
33 (building, purchase, or lease)?

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

2 (Source: P.A. 87-1254; 88-62.)

3 (60 ILCS 1/240-5)

4 Sec. 240-5. Borrowing money. The township board may
5 borrow money (i) from any bank or financial institution if
6 the money is to be repaid within 10 years from the time it is
7 borrowed or (ii), with the approval of the highway
8 commissioner, from a township road district fund, if the
9 money is to be repaid within one year from the time it is
10 borrowed. "Financial institution" means any bank subject to
11 the Illinois Banking Act, any savings and loan association
12 subject to the Illinois Savings and Loan Act of 1985, and any
13 federally chartered commercial bank or savings and loan
14 association organized and operated in this State under the
15 laws of the United States.

16 (Source: P.A. 86-1179; 88-62.)

17 Section 10. The Illinois Highway Code is amended by
18 changing Section 6-107.1 as follows:

19 (605 ILCS 5/6-107.1) (from Ch. 121, par. 6-107.1)

20 Sec. 6-107.1. Road districts may borrow money from any
21 bank or other financial institution or, in a township road
22 district and with the approval of the town board of trustees,
23 from the town fund, provided such money shall be repaid
24 within 10 years ~~one-year~~ from the time the money is borrowed.
25 "Financial institution" means any bank subject to the
26 Illinois Banking Act, any savings and loan association
27 subject to the Illinois Savings and Loan Act of 1985, and any
28 federally chartered commercial bank or savings and loan
29 association organized and operated in this State pursuant to
30 the laws of the United States.

31 (Source: P.A. 85-514; 86-1179.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.