



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**SB1649**

Introduced 2/24/2005, by Sen. John M. Sullivan

**SYNOPSIS AS INTRODUCED:**

605 ILCS 5/6-205	from Ch. 121, par. 6-205
605 ILCS 5/6-410	from Ch. 121, par. 6-410
605 ILCS 5/9-107	from Ch. 121, par. 9-107

Amends the Illinois Highway Code. Deletes language providing that a road district treasurer must have the written approval of the county superintendent of highways or the highway board of auditors in order to approve payment on several orders of \$5,000 or less pertaining to a single project or transaction. Deletes language providing that the county superintendent of highways must approve certain payments by a highway commissioner for road construction or repair. Effective immediately.

LRB094 08868 DRH 39087 b

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Highway Code is amended by changing  
5 Sections 6-205, 6-410 and 9-107 as follows:

6 (605 ILCS 5/6-205) (from Ch. 121, par. 6-205)

7 Sec. 6-205. The district treasurer shall receive and have  
8 charge of all moneys raised in the district for the support and  
9 maintenance of roads therein, and for road damages except such  
10 portions of the moneys which by Section 6-507 are directed to  
11 be paid to the municipalities. He shall hold such moneys at all  
12 times subject to the order of the highway commissioner and  
13 shall pay them over upon the order of the commissioner, such  
14 order to be countersigned by the town or district clerk. In  
15 counties under township organization such moneys, other than  
16 Social Security taxes required by the Social Security Enabling  
17 Act, shall not be paid over until the board of town trustees or  
18 highway board of auditors, as the case may be, has examined and  
19 audited the claims or charges for which such order is drawn. ~~In~~  
20 ~~no case shall payment be made on several orders of \$5,000 or~~  
21 ~~less where such orders are in payment of a contract or~~  
22 ~~contracts, constituting a single project or transaction,~~  
23 ~~either for road construction or maintenance or for the purchase~~  
24 ~~of material, machinery or other appliance to be used therein,~~  
25 ~~if such plan or project costs more than \$5,000, unless such~~  
26 ~~orders are accompanied by the written approval of the county~~  
27 ~~superintendent of highways or the highway board of auditors.~~ He  
28 shall keep an account in a book provided by the commissioner of  
29 all moneys received, and all moneys paid out, showing in detail  
30 to whom and on what account the same is so paid.

31 The treasurer shall also present annually, within 30 days  
32 after the end of the fiscal year of the district, to the

1 highway commissioner an itemized statement of receipts and  
2 disbursements of the district during the fiscal year just  
3 ended, which shall be sworn to.

4 (Source: P.A. 83-1362.)

5 (605 ILCS 5/6-410) (from Ch. 121, par. 6-410)

6 Sec. 6-410. All final payments on contracts for the  
7 construction or repair of roads, including the constructing or  
8 repairing bridges or culverts, shall be made payable as soon as  
9 the work under such contract is completed and accepted by the  
10 highway commissioner ~~and the county superintendent of~~  
11 ~~highways~~. The highway commissioner shall submit all warrants,  
12 bills and orders for such final payments to the township board  
13 of trustees or the highway board of auditors within 30 days  
14 after the receipt of the bill.

15 (Source: P.A. 83-791.)

16 (605 ILCS 5/9-107) (from Ch. 121, par. 9-107)

17 Sec. 9-107. Whenever the highway authorities are about to  
18 lay a tile drain along any public highway the highway  
19 authorities may contract with the owners or occupants of  
20 adjoining lands to lay larger tile than would be necessary to  
21 drain the highway, and permit connection therewith by such  
22 contracting parties to drain their lands.

23 ~~However, all such contracts on township or district roads~~  
24 ~~for a sum in excess of \$1,000.00 shall be made on behalf of any~~  
25 ~~road district by the highway commissioner thereof, with the~~  
26 ~~consent of the county superintendent of highways.~~

27 (Source: Laws 1961, p. 2815.)

28 Section 99. Effective date. This Act takes effect upon  
29 becoming law.