



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB4425

by Rep. Emanuel Chris Welch

SYNOPSIS AS INTRODUCED:

60 ILCS 1/27-5
60 ILCS 1/27-10
60 ILCS 1/27-10.5 new
60 ILCS 1/27-15
60 ILCS 1/27-20
60 ILCS 1/27-25
70 ILCS 905/25

Amends the Township Code. Provides that a township that: (1) is within a coterminous, or substantially coterminous, village; (2) is located within a county with a population of 3 million or more; and (3) contains a territory of more than 2 and less than 3 square miles shall be eligible to discontinue and abolish a township organization within a coterminous municipality. Amends the Public Health District Act. Provides that the coterminous municipality that assumes the rights, powers, duties, and obligations of a discontinued coterminous township shall have the municipality's Council members or corporate authorities serve as the board of health for the public health district under the Act.

LRB098 18356 JLK 54711 b

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 27-5, 27-10, 27-15, 27-20, and 27-25 and by adding
6 Section 27-10.5 as follows:

7 (60 ILCS 1/27-5)

8 Sec. 27-5. Applicability. This Article shall apply only to:

9 (a) a township that: (1) is within a coterminous, or
10 substantially coterminous, municipality in which the city
11 council exercises the powers and duties of the township board,
12 or in which one or more municipal officials serve as an officer
13 or trustee of the township; (2) is located within a county with
14 a population of 3 million or more; and (3) contains a territory
15 of 7 square miles or more; or -

16 (b) a township that (1) is within a coterminous, or
17 substantially coterminous, village; (2) is located within a
18 county with a population of 3 million or more; and (3) contains
19 a territory of more than 2 and less than 3 square miles.

20 (Source: P.A. 98-127, eff. 8-2-13.)

21 (60 ILCS 1/27-10)

22 Sec. 27-10. Petition and referendum to discontinue and

1 abolish a township organization within a coterminous
2 municipality. Upon adoption of an ordinance ~~adopted~~ by the city
3 council of a township described under Section 27-5(a) of this
4 Article, or upon petition of at least 10% of the registered
5 voters of that township, the city council shall certify and
6 cause to be submitted to the voters of the township, at the
7 next election or consolidated election, a proposition to
8 discontinue and abolish the township organization and to
9 transfer all the rights, powers, duties, assets, property,
10 liabilities, obligations, and responsibilities of the township
11 organization to the coterminous municipality.

12 A signature on a petition shall not be valid or counted in
13 considering the petition unless the form requirements are
14 complied with and the date of each signature is less than 90
15 days before the last day for filing the petition. The statement
16 of the person who circulates the petition must include an
17 attestation (i) indicating the dates on which that sheet was
18 circulated, (ii) indicating the first and last date on which
19 that sheet was circulated, or (iii) certifying that none of the
20 signatures on the sheet was signed more than 90 days before the
21 last day for filing the petition. The petition shall be treated
22 and the proposition certified in the manner provided by the
23 general election law. After the proposition has once been
24 submitted to the electorate, the proposition shall not be
25 resubmitted for 4 years.

26 The proposition shall be in substantially the following

1 form:

2 Shall the township organization be continued in [Name
3 of Township] Township?

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

5 (Source: P.A. 98-127, eff. 8-2-13; revised 10-8-13.)

6 (60 ILCS 1/27-10.5 new)

7 Sec. 27-10.5. Referendum to discontinue and abolish a
8 township organization within a coterminous village. Upon
9 ordinance adopted by the corporate authorities of a village
10 described under Section 27-5(b) of this Article, the corporate
11 authorities shall certify and cause to be submitted to the
12 voters of the village, at the next election or consolidated
13 election, a proposition to discontinue and abolish the township
14 organization and to transfer all the rights, powers, duties,
15 assets, property, liabilities, obligations, and
16 responsibilities of the township organization to the
17 coterminous village.

18 The proposition shall be in substantially the following
19 form:

20 Shall the township organization be transferred to and
21 performed by the [name of village]?

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

23 (60 ILCS 1/27-15)

24 Sec. 27-15. Cessation of township organization. As

1 provided in Sections 27-10 and 27-10.5, if ~~if~~ a majority of the
2 votes of the township or village cast are in favor of the
3 proposition to discontinue and abolish the township
4 organization, then the township organization in that township
5 shall cease.

6 On the effective date of the discontinuance and abolishment
7 of ~~the~~ township organization under Section 27-5(a) of this
8 Article, all the rights, powers, duties, assets, property,
9 liabilities, obligations, and responsibilities of the township
10 shall by operation of law vest in and be assumed by the
11 coterminous municipality.

12 For a township that is discontinued and abolished under
13 Section 27-5(b), 180 days after the passage of the referendum
14 all the rights, powers, duties, assets, property, liabilities,
15 obligations, and responsibilities of the township shall by
16 operation of law vest in and be assumed by the coterminous
17 village, and the township shall cease and the terms of any then
18 serving officials, elected or appointed, shall end. On the date
19 of the passage of the referendum, the coterminous village shall
20 have access to all records, files, policies, procedures, and
21 financial documents of the township to aid in the transition
22 process.

23 (Source: P.A. 98-127, eff. 8-2-13.)

24 (60 ILCS 1/27-20)

25 Sec. 27-20. Township officers. Upon the effective date of

1 discontinuance, the coterminous municipality shall exercise
2 all duties and responsibilities of that township officer as
3 provided in the Township Code, the Illinois Public Aid Code,
4 Property Tax Code, and the Illinois Highway Code, as
5 applicable. The coterminous municipality may enter into an
6 intergovernmental agreement or contract ~~with the county or the~~
7 ~~State~~ to administer the duties and responsibilities of that
8 township officer for services under its jurisdiction.

9 (Source: P.A. 98-127, eff. 8-2-13.)

10 (60 ILCS 1/27-25)

11 Sec. 27-25. Business, records, and property of
12 discontinued township organization. The records of a township
13 organization discontinued under this Article shall be
14 deposited in the coterminous municipality's ~~city~~ clerk's
15 office. The coterminous municipality may close up all
16 unfinished business of the township and sell and dispose of any
17 of the property belonging to the township for benefit of the
18 inhabitants of the municipality.

19 (Source: P.A. 98-127, eff. 8-2-13.)

20 Section 10. The Public Health District Act is amended by
21 changing Section 25 as follows:

22 (70 ILCS 905/25)

23 Sec. 25. Discontinuance of a coterminous township. Upon

1 discontinuance of a coterminous township under ~~If the office of~~
2 ~~Township Assessor in a coterminous township is discontinued as~~
3 ~~provided in~~ Article 27 of the Township Code, then the
4 coterminous municipality's Council members or corporate
5 authorities shall be the board of health for the public health
6 district under this Act.

7 (Source: P.A. 98-127, eff. 8-2-13.)