

1 AN ACT relating to the Toll Highway Authority.

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

4 Section 5. The Election Code is amended by changing
5 Section 28-1 as follows:

6 (10 ILCS 5/28-1) (from Ch. 46, par. 28-1)

7 Sec. 28-1. The initiation and submission of all public
8 questions to be voted upon by the electors of the State or of
9 any political subdivision or district or precinct or
10 combination of precincts shall be subject to the provisions
11 of this Article.

12 Questions of public policy which have any legal effect
13 shall be submitted to referendum only as authorized by a
14 statute which so provides or by the Constitution. Advisory
15 questions of public policy shall be submitted to referendum
16 pursuant to Section 28-5 or pursuant to a statute which so
17 provides.

18 The method of initiating the submission of a public
19 question shall be as provided by the statute authorizing such
20 public question, or as provided by the Constitution.

21 All public questions shall be initiated, submitted and
22 printed on the ballot in the form required by Section 16-7 of
23 this Act, except as may otherwise be specified in the statute
24 authorizing a public question.

25 Whenever a statute provides for the initiation of a
26 public question by a petition of electors, the provisions of
27 such statute shall govern with respect to the number of
28 signatures required, the qualifications of persons entitled
29 to sign the petition, the contents of the petition, the
30 officer with whom the petition must be filed, and the form of
31 the question to be submitted. If such statute does not

1 specify any of the foregoing petition requirements, the
2 corresponding petition requirements of Section 28-6 shall
3 govern such petition.

4 Irrespective of the method of initiation, not more than 3
5 public questions other than (a) back door referenda, (b)
6 referenda to determine whether a disconnection may take place
7 where a city coterminous with a township is proposing to
8 annex territory from an adjacent township, ~~or~~ (c) referenda
9 held under the provisions of the Property Tax Extension
10 Limitation Law in the Property Tax Code, or (d) referenda
11 under Section 36 of the Toll Highway Act may be submitted to
12 referendum with respect to a political subdivision at the
13 same election.

14 If more than 3 propositions are timely initiated or
15 certified for submission at an election with respect to a
16 political subdivision, the first 3 validly initiated, by the
17 filing of a petition or by the adoption of a resolution or
18 ordinance of a political subdivision, as the case may be,
19 shall be printed on the ballot and submitted at that
20 election. However, except as expressly authorized by law not
21 more than one proposition to change the form of government of
22 a municipality pursuant to Article VII of the Constitution
23 may be submitted at an election. If more than one such
24 proposition is timely initiated or certified for submission
25 at an election with respect to a municipality, the first
26 validly initiated shall be the one printed on the ballot and
27 submitted at that election.

28 No public question shall be submitted to the voters of a
29 political subdivision at any regularly scheduled election at
30 which such voters are not scheduled to cast votes for any
31 candidates for nomination for, election to or retention in
32 public office, except that if, in any existing or proposed
33 political subdivision in which the submission of a public
34 question at a regularly scheduled election is desired, the

1 voters of only a portion of such existing or proposed
2 political subdivision are not scheduled to cast votes for
3 nomination for, election to or retention in public office at
4 such election, but the voters in one or more other portions
5 of such existing or proposed political subdivision are
6 scheduled to cast votes for nomination for, election to or
7 retention in public office at such election, the public
8 question shall be voted upon by all the qualified voters of
9 the entire existing or proposed political subdivision at the
10 election.

11 Not more than 3 advisory public questions may be
12 submitted to the voters of the entire state at a general
13 election. If more than 3 such advisory propositions are
14 initiated, the first 3 timely and validly initiated shall be
15 the questions printed on the ballot and submitted at that
16 election; provided however, that a question for a proposed
17 amendment to Article IV of the Constitution pursuant to
18 Section 3, Article XIV of the Constitution, or for a question
19 submitted under the Property Tax Cap Referendum Law, shall
20 not be included in the foregoing limitation.

21 (Source: P.A. 88-116; 89-510, eff. 7-11-96.)

22 Section 10. The Toll Highway Act is amended by adding
23 Section 36 as follows:

24 (605 ILCS 10/36 new)

25 Sec. 36. Referendum on abolishing the Authority. An
26 advisory referendum on the question of whether or not the
27 Authority should be abolished shall be held at the general
28 election in 2004 in every county where a current toll highway
29 is located. The Authority shall certify the question to the
30 proper election officials who shall submit the question in
31 accordance with the general election law.