

AN ACT concerning local government.

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

Section 5. The Township Code is amended by changing Section 70-5 and by renumbering and changing Section 7-27, as added by Public Act 100-983, as follows:

(60 ILCS 1/70-5)

Sec. 70-5. Supervisor; bond.

(a) The supervisor, before entering upon the duties of the office, shall give bond to the township, with one or more sureties, (i) in at least double the amount of money that may come into the supervisor's hands, if individuals act as sureties, or (ii) only in the amount of money that may come into the supervisor's hands, if a surety company authorized to do business in this State acts as surety. The bond shall be conditioned on the faithful discharge of his or her duties as supervisor and require that he or she safely keep and pay over all money entrusted ~~intrusted~~ to his or her keeping as supervisor. The bond shall be approved by the township clerk and filed in the clerk's office with the clerk's approval indorsed on it.

(b) Whenever the township clerk ascertains that the bond has been forfeited, the clerk shall institute suit against the

supervisor. If the clerk fails or refuses to institute a suit, any person interested in the matter may institute a suit.

~~(c) Any person temporarily appointed under Section 60-10 to perform the clerical functions of a supervisor shall, before performing those functions, give bond in the same manner and amount and subject to the same conditions as are required of the supervisor.~~

(Source: P.A. 82-783; 88-62.)

(60 ILCS 1/70-27)

Sec. 70-27 ~~7-27~~. Attestation to funds endorsed by the supervisor. If a township supervisor issues a payout of funds from the township treasury, the township clerk shall attest to such payment. A township board may adopt rules to implement the provisions of this Section, including rules regulating the township clerk's attestation when the township clerk is temporarily unavailable, for payroll processing, and for the payout of funds made by cash, credit and debit card, electronic check, and other means. Attestation under this Section is not required by the township clerk prior to the issuance of an emergency financial assistance payout authorized by Section 6-10 of the Illinois Public Aid Code.

(Source: P.A. 100-983, eff. 1-1-19; revised 1-15-19.)

Section 10. The Illinois Highway Code is amended by changing Sections 6-134 and 6-135 as follows:

(605 ILCS 5/6-134)

Sec. 6-134. Abolishing a road district.

(a) By resolution, the board of trustees of any township located in a county with less than 3,000,000 inhabitants may submit a proposition to abolish the road district of that township to the electors of that township at a general election or consolidated election in accordance with the general election law. The ballot shall be in substantially the following form:

Shall the Road District of the Township of
..... be abolished with all the rights,
powers, duties, assets, property, liabilities, YES
obligations, and responsibilities being assumed -----
by the Township of ? NO

In the event that a majority of the electors voting on such proposition are in favor thereof, then the road district shall be abolished by operation of law effective 90 days after vote certification by the governing election authority or on the date the term of the highway commissioner in office at the time the proposition was approved by the electors expires, whichever is later.

On that date, all the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of the road district shall by operation of law vest in and be assumed by the township. On that date, the township board of trustees shall assume all taxing authority of a road district abolished under this Section. On that date, any highway commissioner of the abolished road district shall cease to hold office, such term having been terminated. Thereafter, the township shall exercise all duties and responsibilities of the highway commissioner as provided in the Illinois Highway Code. The township board of trustees may enter into a contract with the county, a municipality, or a private contractor to administer the roads under its jurisdiction. The township board of trustees shall assume all taxing authority of a township road district abolished under this subsection. For purposes of distribution of revenue, the township shall assume the powers, duties, and obligations of the road district. Distribution of revenue by the township to the treasurer of a municipality under Section 6-507 shall be only paid from moneys levied for road purposes pursuant to Division 5 of Article 6 of the Illinois Highway Code.

(b) If a referendum passed under subsection (a) at the November 6, 2018 election and a road district has not been abolished as provided in subsection (a) by the effective date of this amendatory Act of the 101st General Assembly:

(1) the township board shall have the sole authority

relating to the following duties and powers of the road district until the date of abolition:

(A) creating and approving the budget of the road district;

(B) levying taxes (the township board of trustees assumes all taxing authority of the township road district);

(C) entering into contracts for the road district;

(D) employing and fixing the compensation of road district employees that the township board deems necessary; and

(E) setting and adopting rules concerning all benefits available to employees of the road district.

(2) the road district or the highway commissioner may not commence or maintain litigation against the township to resolve any dispute related to the road district regarding powers of the office of the highway commissioner, the powers of the supervisor, or the powers of the township board.

(c) If a township has approved a consolidated road district after a referendum under Section 6-109 and the consolidation is not yet effective and if the township subsequently approves a referendum under this Section, then the consolidation under Section 6-109 is void and shall not occur.

(Source: P.A. 100-106, eff. 1-1-18.)

(605 ILCS 5/6-135)

Sec. 6-135. Abolishing a road district with less than 15 miles of roads.

(a) Any township in a county with a population less than 3,000,000 may abolish a road district of that township if the roads of the road district are less than 15 miles in length, as determined by the county engineer or county superintendent of highways, by resolution of a majority of the board of trustees to submit a referendum to abolish the road district of that township. The referendum shall be submitted to the electors of that township at the next general election or consolidated election in accordance with the general election law. The ballot shall be in substantially the following form:

Shall the Road District of the Township of	
..... be abolished with all the rights,	
powers, duties, assets, property, liabilities,	YES
obligations, and responsibilities being assumed	-----
by the Township of ?	NO

(b) If a majority of the electors voting on the referendum under subsection (a) of this Section are in favor of abolishing the township road district, then the road district is abolished on the January 1 following the approval of the referendum or on the date the term of the highway commissioner in office at the time the referendum was approved expires, whichever is later.

On the date of abolition ~~abolishment~~: all the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of the road district shall by operation of law vest in and be assumed by the township; the township board of trustees shall assume all taxing authority of a road district abolished under this Section; any highway commissioner of the abolished road district shall cease to hold office; the township shall exercise all duties and responsibilities of the highway commissioner as provided in the Illinois Highway Code; and for purposes of distribution of revenue, the township shall assume the powers, duties, and obligations of the road district. The township board of trustees may enter into a contract with the county, a municipality, or a private contractor to administer the roads added to its jurisdiction under this Section.

If a township has approved a consolidated road district after a referendum under Section 6-109 and the consolidation is not yet effective and if the township subsequently approves a referendum under this Section, then the consolidation under Section 6-109 is void and shall not occur.

(Source: P.A. 100-107, eff. 1-1-18.)

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