



# Legislative Report

By Taylor Anderson

Anderson Legislative Consulting, Ltd.

**A**PRIL IS TRADITIONALLY TREATED as a kind of halfway point for spring session. A pause and deep breath before the mad sprint to the finish that the General Assembly undertakes in May. With the pandemic and the resulting slowdown of the normal process, April feels different than usual. Deadlines have been moved, committees are meeting virtually, and the House is not expected to resume in-person business on the House floor until later this month. What has not changed is the volumes of bills introduced and the continued attacks on local governments, especially townships. In fact, the number of bills being tracked by TOI this year has more than doubled compared to the previous 4 years. Consolidation bills remain a trend as legislators continue to be misguided on the best way to reducing property taxes and instead focus on townships. Even though it has been proven time and time again that townships make up less than two percent of the property tax bill statewide and provide the most cost-efficient services. Below is a brief timeline of the most recent consolidation laws and a list of some of the more harmful bills introduced this year.

- On August 14, 2017, SB 3 was signed into law by Governor Bruce Rauner. The bill contained a number of provisions recommended by the Task Force on Local Government Consolidation and Unfunded Mandates led by Lt. Gov. Evelyn Sanguinetti. It established a simplified consolidation process for units of local governments. On the same date HB 607 was signed which allowed for a township to dissolve a road district via referendum and eliminated road districts under 4 miles.
- On August 9, 2019, Governor Pritzker signed HB 348 into law. At the time of its signing, the Governor released a statement saying, “After hearing from local stakeholders on their desire for government consolidation, I am signing HB 348 and look forward to seeing how this bill works for the taxpayers of McHenry County?”
- In March of 2020, a referendum to dissolve McHenry Township failed when voters decided to keep their township.
- Currently there are 7 bills that seek to add new consolidation provisions, tie the hands of local governments during a consolidation process or expand the provisions of HB 348 statewide.

## Consolidation

### HB 433 – Rep. Jonathan Carroll Synopsis as Introduced

Creates the Citizens Empowerment Act. Provides that electors may petition for a referendum at the next general election to dissolve a unit of local government. Sets the signature requirement to initiate a petition at 5% of voters in the last general election. Provides for the transfer of all real and personal property and any other assets, together with all personnel, contractual obligations, and liabilities of the dissolving unit of local government to the receiving unit of local government.

### HB 566 – Rep. Sam Yingling Synopsis as Introduced

Provides that a unit of local government with taxing authority, or any person holding public office with that unit of local government, shall not use public resources or public funds to obstruct, fight, or challenge initiatives to consolidate, merge, or eliminate any unit of local government. Provides that State moneys shall be withheld from the unit of local government until the obstruction, fighting, or challenge is concluded.

### HB 1775 – Rep. Daniel Didech Synopsis as Introduced

Amends the Township Code. Provides that all townships within a coterminous, or substantially coterminous, municipality may be discontinued (modifying an Article that currently only applies to municipalities in which the city council exercises the powers and duties of the township board, or in which one or more municipal officials serve as an officer or trustee of the township; that are located within a county with a population of 3 million or more; and which contain a territory of 7 square miles or more). Makes conforming changes. Repeals an Article of the Township Code regarding discontinuance of specified townships in St. Clair County. Effective immediately.

**HB 1861 – Rep. Jonathan Carroll**  
**Synopsis as Introduced**

Amends the Dissolution of Townships in McHenry County Article of the Township Code. Makes the Article applicable to all counties. Amends the Counties Code and the Motor Fuel Tax Law making conforming changes. Amends the Illinois Highway Code. Changes provisions requiring road districts in townships in Lake County and McHenry County to be abolished if the roads of the road district are less than 15 miles in length to require all townships to abolish such road districts. Effective immediately.

**HB 3599 – Rep. Dan Ugaste**  
**Synopsis as Introduced**

Amends the Dissolution of Townships in McHenry County Article of the Township Code. Renames the Article and makes it applicable to all counties under township organization. Amends the Counties Code and the Motor Fuel Tax Law making conforming changes. Amends the Illinois Highway Code. Changes provisions requiring road districts in townships in Lake County and McHenry County to be abolished if the roads of the road district are less than 15 miles in length to require all townships to abolish such road districts. Repeals provisions making abolition permissive for townships

with road districts that have roads of less than 15 miles in length. Effective immediately.

**HB 3727 – Rep. Tom Demmer**  
**Synopsis as Introduced**

Amends the Township Code. Provides that all townships within a coterminous, or substantially coterminous, municipality may be discontinued (modifying an Article that currently only applies to municipalities in which the city council exercises the powers and duties of the township board, or in which one or more municipal officials serve as an officer or trustee of the township; that are located within a county with a population of 3 million or more; and which contain a territory of 7 square miles or more). Makes conforming changes. Repeals an Article of the Township Code regarding discontinuance of specified townships in St. Clair County. Effective immediately.

**SB 1648 – Rep. Brain Stewart**  
**Synopsis as Introduced**

Amends the Dissolution of Townships in McHenry County Article of the Township Code. Renames the Article and makes it applicable to all counties under township organization. Amends the Counties Code and the Motor Fuel Tax Law making conforming changes.

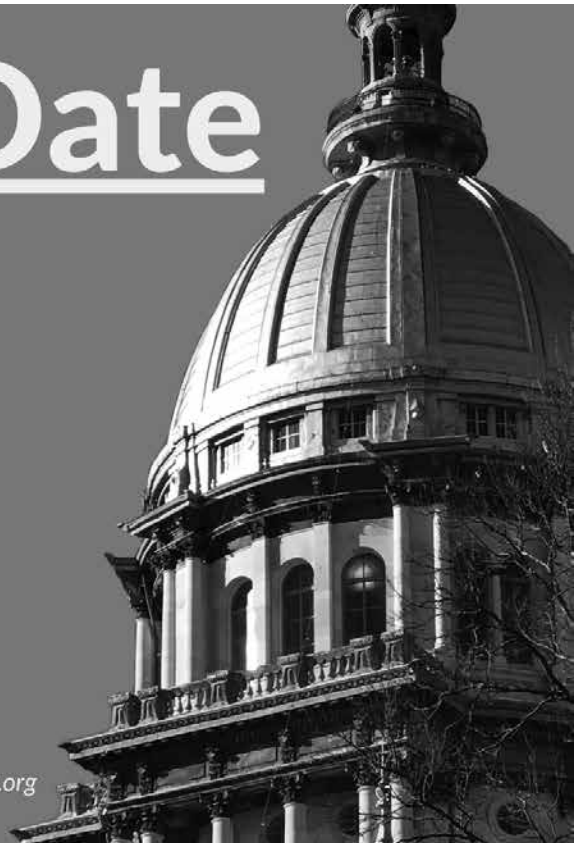
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Amends the Illinois Highway Code. Changes provisions requiring road districts in townships in Lake County and McHenry County to be abolished if the roads of the road district are less than 15 miles in length to require all townships to abolish such road districts. Repeals provisions making abolition permissive for townships with road districts that have roads of less than 15 miles in length. Effective immediately.

## Highway Commissioners

### HB 720 – Rep. Chris Miller

#### Synopsis as Introduced

Amends the Illinois Vehicle Code. Provides that a person may operate an all-terrain vehicle or recreational off-highway vehicle on a roadway that is not a State highway, federal highway, or within the boundaries of an incorporated area and where the speed limit 55 miles per hour or less (rather than 35 miles per hour or less).

### HB 2361 – Rep. Tom Demmer

#### Synopsis as Introduced

Amends the Illinois Vehicle Code. Changes the definition of “all-terrain vehicle by: (1) changing the size limitation to 55 (rather than 50) inches measured from the outside of the tire rim to the outside of the tire rim; and (2) removing specific design requirements. Changes the definition of “recreational off-highway vehicle” by changing the size limitation to 80 (rather than 64) inches or less in width measured from the outside of the tire rim to the outside of the tire rim. Effective immediately.

### HB 2805 – Rep. Brad Halbrook

#### Synopsis as Introduced

Amends the Public Officer Prohibited Activities Act. Provides that a member of a county board or county board of commissioners may not also hold the office of township highway commissioner. Repeals a Section pro-

viding that a member of the county board in a county having fewer than 550,000 inhabitants, during the term of office for which he is elected, may also hold the office of township highway commissioner. Effective immediately.

### HB 2863 – Rep. Daniel Swanson

#### Synopsis as Introduced

Amends the Illinois Highway Code. Provides that an owner or occupant seeking consent from a highway authority to construct ditches, drains, track, rails, poles, wires, pipeline or other equipment along any highway or road may appeal the authority’s decision to deny consent to the county superintendent of highways by filing an appeal in the office of the district clerk within 10 days after receiving the written explanation of the decision. Provides that the county superintendent shall set a date for hearing a complaint and provide notice of the hearing to all persons interested. Provides that if the county superintendent of highways finds that a petition for ingress or egress is not inconsistent with public safety, the commissioner shall approve the petition.

### HB 3818 – Rep. Tom Weber

#### Synopsis as Introduced

Amends the Township Code. Provides that tentative budgets for specified road districts shall be subject to a public hearing and public inspection prior to adopting. Further provides that the township board may adopt all or part of the tentative budget and appropriation ordinance for road purposes and levy the amount determined by the board. Effective immediately.



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