



Legislative Report

By Taylor Anderson

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ACTION IN THE GENERAL ASSEMBLY will pick up this month as the General Assembly conducts much of its work remotely. Both the House and Senate have and will continue to hold legislative committee hearings remotely while the state and the world combat the COVID pandemic. At this time bill introductions have been fairly light, and a number of shell bills have been introduced by rank-and-file legislators, presumably, to act as place holders until legislation language can be worked out and filed as an amendment. This has made it difficult to accurately judge the number of bills impacting townships and units of local governments as no method exists to know what language these shell bills will have, or the impact of that language until an amendment is filed.

Already we have seen numerous bills that would negatively impact townships by either chipping away at

their authority or depriving them of the funds necessary to continue providing services to constituents. Efforts to consolidate local governments continue to be popular as several bills have been introduced to that effect. Despite best efforts to educate legislators, the false narrative that local governments are to blame for high property tax rates persist. Instead of addressing the real root of the problem, the actual framework of the property tax system, how the services provided are funded and the burden of unfunded mandates created by the General Assembly. HB 5, introduced by Representative DeLuca, is a bright spot among introduced bills as it seeks to prevent more unfunded mandates from being piled onto local governments without providing a funding source, one sure way to help control raising property taxes. Following are some of the bills TOI is tracking this year.

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HB 5 (Rep. Anthony DeLuca) Amends the State Mandates Act. Provides that any State mandate regarding any subject matter enacted on or after the effective date of this amendatory Act that necessitates additional expenditures from local government revenues shall be void and unenforceable unless the General Assembly makes necessary appropriations to implement that mandate. Provides that the failure of the General Assembly to make necessary appropriations shall relieve the local government of the obligation to implement any State mandate. Makes conforming changes. Effective immediately.

HB 162 (Rep. Jeff Keicher) Creates the Decennial Committees on Local Government Consolidation and Efficiency Act. Provides that within one year after the effective date of the Act and at least once every 10 years thereafter, each unit of local government (except municipalities and counties) must form a committee to study local efficiencies, including an analysis of whether to consolidate with another governmental unit, municipality, or county; and create a report with recommendations regarding efficiencies, increased accountability, and consolidation. Provides that the duties of the committee include, but are not limited to, the study of the unit of local government's governing statutes, ordinances, rules, procedures, powers, jurisdiction, shared services, intergovernmental agreements, and interrelationships with other units of local government and the State. Provides that the committee shall collect data, research, analysis, and public input. Dissolves the committee after completion of its report and oral presentation of the report. Contains provisions about committee membership, meetings, and report requirements. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

HB 253 (Rep. Kambium Buckner, Aaron M. Ortiz and Thaddeus Jones) Amends the Department of Transportation Law of the Civil Administrative Code of Illinois.

Requires the Department of Transportation to establish and implement a transportation performance program for all transportation facilities under its jurisdiction. Provides that the Department shall develop a risk-based, statewide highway system asset management plan to preserve and improve the conditions of highway and bridge assets and enhance the performance of the system while minimizing life-cycle cost. Provides that the asset management plan shall include, at a minimum, strategies leading to a program of projects that would make progress toward achievement of targets for asset condition and performance of the State highway system. Provides that the asset management plan shall be made publicly available on the Department's website. Provides that the Department shall develop a needs-based asset management plan for State-supported public transportation assets, including vehicles, facilities, equipment, and other infrastructure. Limits the plan to certain transit services. Provides that the Department shall develop a performance-based project selection process to prioritize taxpayer investment in transportation assets that go above and beyond maintaining the existing system in a state of good repair and to evaluate projects that add capacity. Adds various requirements regarding the new asset management plan and performance-based programming. Effective immediately.

HB 268 (Rep. Sam Yingling) Amends the Township Code. Provides that a township board may not enter into or authorize an employment, equipment, or service contract, with the exception of a contract negotiated with a labor union, that would extend 90 days past the next township election. Provides that an employment, equipment, or service contracts entered into or authorized in violation of the provisions are voidable.

HB 340 (Rep. Mark Batinick-Ryan Spain and Brad Halbrook) Creates the Local Government Elected Official Recall Act. Provides that local officeholders that were elected during a general consolidated election may be recalled under the Act. Establishes petition requirements for recall elections. Limits home rule powers.

HB 396 (Rep. Martin J. Moylan) Amends the Article of the Illinois Vehicle Code concerning size, weight, load, and permits. Creates a new class of weight limits for vehicles with a distance between 8 and 9 feet between the extremes of any group of 2 or more consecutive axles, with a maximum weight of 38,000 pounds on 2 axles and 42,000 pounds on 3 axles. Provides that 2 consecutive sets of tandem axles may carry 34,000 pounds each if the overall distance between the first and last axles of these tandems is 36 feet or more. Deletes language requiring an applicant for a permit for excess

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size and weight to make certain disclosures relating to whether the applicant is a motor carrier of property. Makes other changes. Provides that the additional fee for certain gross overweight loads is for each additional 45 (instead of 60) miles traveled. Provides that an applicant shall pay \$120 (instead of \$40) per hour for an engineering inspection or field investigation. Effective immediately.

HB 397 (Rep. Martin J. Moylan) Amends the Illinois Vehicle Code. Provides that the Department of Transportation may issue a special permit authorizing an applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified by the Code or otherwise not in conformity with the Code upon any State or local highway. Deletes language providing that local authorities may issue a special permit authorizing an applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified by the Code or otherwise not in conformity with the Code upon local highways under their jurisdiction. Makes conforming changes. Effective January 1, 2026.

HB 433 (Rep. Jonathan Carroll-Daniel Didech) 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 forth the requirements for the petition, together with the form and requirements for the ballot referendum. 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. Amends the Election Code to provide exceptions for the Citizens Empowerment Act. Effective immediately. 📖



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