



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3758

by Rep. Sam Yingling

SYNOPSIS AS INTRODUCED:

50 ILCS 105/3.3 new

50 ILCS 105/4

from Ch. 102, par. 4

Amends the Public Officer Prohibited Activities Act. Prohibits an elected officer of a unit of local government from entering into or authorizing an employment contract, with the exception of a contract negotiated with a labor union, that would extend past the expiration of his or her elected term. Prohibits a governing body of a unit of local government from entering into or authorizing an employment contract, with the exception of a contract negotiated with a labor union, that would extend past the expiration of the term of the elected officer of the governing body whose term expires last. Provides that an employment contract entered into in violation of these provisions is voidable.

LRB100 10188 AWJ 20369 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Public Officer Prohibited Activities Act is
5 amended by changing Section 4 and by adding Section 3.3 as
6 follows:

7 (50 ILCS 105/3.3 new)

8 Sec. 3.3. Employment contracts.

9 (a) An elected officer of a unit of local government may
10 not enter into or authorize an employment contract after the
11 effective date of this amendatory Act of the 100th General
12 Assembly, with the exception of a contract negotiated with a
13 labor union, that would extend past the expiration of his or
14 her elected term.

15 (b) A governing body of a unit of local government may not
16 enter into or authorize an employment contract after the
17 effective date of this amendatory Act of the 100th General
18 Assembly, with the exception of a contract negotiated with a
19 labor union, that would extend past the expiration of the term
20 of the elected officer of the governing body whose term expires
21 last.

22 (c) An employment contract entered into or authorized in
23 violation of this Section is voidable.

1 (50 ILCS 105/4) (from Ch. 102, par. 4)

2 Sec. 4. Any alderman, member of a board of trustees,
3 supervisor or county commissioner, or other person holding any
4 office, either by election or appointment under the laws or
5 constitution of this state, who violates any provision of the
6 preceding sections, except Section 3.3, is guilty of a Class 4
7 felony and in addition thereto, any office or official position
8 held by any person so convicted shall become vacant, and shall
9 be so declared as part of the judgment of court.

10 (Source: P.A. 77-2721.)