



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3759

by Rep. Sam Yingling

SYNOPSIS AS INTRODUCED:

35 ILCS 200/3-40	
35 ILCS 200/4-20	
55 ILCS 5/3-10007	from Ch. 34, par. 3-10007
55 ILCS 5/4-6001	from Ch. 34, par. 4-6001
55 ILCS 5/4-6002	from Ch. 34, par. 4-6002
55 ILCS 5/4-6003	from Ch. 34, par. 4-6003
55 ILCS 5/4-8002	from Ch. 34, par. 4-8002
705 ILCS 105/27.3	from Ch. 25, par. 27.3

Amends the Property Tax Code, the Counties Code, and the Clerks of the Courts Act. Provides that assessors, county treasurers, coroners, sheriffs, recorders of deeds, clerks of the circuit court, and other county officers whose terms of office begin on or after the effective date of the amendatory Act shall not receive a stipend. Effective immediately.

LRB100 03650 HLH 13655 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 Property Tax Code is amended by changing
5 Sections 3-40 and 4-20 as follows:

6 (35 ILCS 200/3-40)

7 Sec. 3-40. Compensation of supervisors of assessments.

8 (a) A supervisor of assessments shall receive annual
9 compensation in an amount fixed by the county board subject to
10 the following minimum amounts:

11 In counties with less than 14,000 inhabitants, not less
12 than \$7,500;

13 In counties with 14,000 or more but less than 30,000
14 inhabitants, not less than \$8,000;

15 In counties with 30,000 or more but less than 60,000
16 inhabitants, not less than \$9,000;

17 In counties with 60,000 or more but less than 100,000
18 inhabitants, not less than \$10,000;

19 In counties with 100,000 or more but less than 200,000
20 inhabitants, not less than \$11,500;

21 In counties with 200,000 or more but less than 300,000
22 inhabitants, not less than \$13,000;

23 In counties with 300,000 or more but less than

1 1,000,000 inhabitants, not less than \$15,000.

2 For purposes of this subsection, the number of inhabitants
3 shall be determined by the latest Federal decennial or special
4 census of the county.

5 (b) Elected supervisors of assessments who began a term of
6 office before December 1, 1990 shall be compensated at the rate
7 of their base salary. "Base salary" is the compensation paid
8 for their position before July 1, 1989.

9 (c) Elected supervisors of assessments beginning a term of
10 office on or after December 1, 1990 shall, beginning December
11 1, 1993, receive their base salary plus at least 12% of base
12 salary.

13 Any supervisor of assessments who has been presented a
14 Certified Assessing Evaluator Certificate by the International
15 Association of Assessing Officers shall receive an additional
16 compensation of \$500 per year to be paid out of funds
17 appropriated to the Department from the Personal Property Tax
18 Replacement Fund. No additional compensation shall be paid to
19 supervisors of assessments whose terms of office begin on or
20 after the effective date of this amendatory Act of the 100th
21 General Assembly.

22 The salary set by the county board shall be paid in equal
23 monthly installments out of the treasury of the county in which
24 he or she is appointed or elected. If the Department has
25 determined that the total assessed value of property in a
26 county, as equalized by the supervisor of assessments under

1 Section 9-210, is between 31 1/3% and 35 1/3% of the total fair
2 cash value of property in the county, subject to appropriation,
3 the Department shall reimburse the county monthly from the
4 Personal Property Tax Replacement Fund 50% of the amount of
5 salary the county paid to the officer for the preceding month.

6 The county board shall provide necessary office space for
7 the officer and pay all necessary expenses of the office out of
8 the county treasury.

9 Each supervisor of assessments may, with the advice and
10 consent of the county board, appoint necessary deputies and
11 clerks, their compensation to be fixed by the county board and
12 paid by the county.

13 (Source: P.A. 97-72, eff. 7-1-11.)

14 (35 ILCS 200/4-20)

15 Sec. 4-20. Additional compensation based on performance.
16 Any assessor in counties with less than 3,000,000 but more than
17 50,000 inhabitants each year may petition the Department to
18 receive additional compensation based on performance. To
19 receive additional compensation, the official's assessment
20 jurisdiction must meet the following criteria:

21 (1) the median level of assessment must be no more than
22 35 1/3% and no less than 31 1/3% of fair cash value of
23 property in his or her assessment jurisdiction; and

24 (2) the coefficient of dispersion must not be greater
25 than 15%.

1 For purposes of this Section, "coefficient of dispersion" means
2 the average deviation of all assessments from the median level.
3 For purposes of this Section, the number of inhabitants shall
4 be determined by the latest federal decennial census. When the
5 most recent census shows an increase in inhabitants to over
6 50,000 or a decrease to 50,000 or fewer, then the assessment
7 year used to compute the coefficient of dispersion and the most
8 recent year of the 3-year average level of assessments is the
9 year that determines qualification for additional
10 compensation. The Department will promulgate rules and
11 regulations to determine whether an assessor meets these
12 criteria.

13 Any assessor in a county of 50,000 or fewer inhabitants may
14 petition the Department for consideration to receive
15 additional compensation each year based on performance. In
16 order to receive the additional compensation, the assessments
17 in the official's assessment jurisdiction must meet the
18 following criteria: (i) the median level of assessments must be
19 no more than 35 1/3% and no less than 31 1/3% of fair cash value
20 of property in his or her assessment jurisdiction; and (ii) the
21 coefficient of dispersion must not be greater than 40% in 1994,
22 38% in 1995, 36% in 1996, 34% in 1997, 32% in 1998, and 30% in
23 1999 and every year thereafter.

24 Real estate transfer declarations used by the Department in
25 annual sales-assessment ratio studies will be used to evaluate
26 applications for additional compensation. The Department will

1 audit other property to determine if the sales-assessment ratio
2 study data is representative of the assessment jurisdiction. If
3 the ratio study is found not representative, appraisals and
4 other information may be utilized. If the ratio study is
5 representative, upon certification by the Department, the
6 assessor shall receive additional compensation of \$3,000 for
7 that year, to be paid out of funds appropriated to the
8 Department from the Personal Property Tax Replacement Fund.

9 No additional compensation shall be paid to assessors whose
10 terms of office begin on or after the effective date of this
11 amendatory Act of the 100th General Assembly.

12 As used in this Section, "assessor" means any township or
13 multi-township assessor, or supervisor of assessments.

14 (Source: P.A. 97-72, eff. 7-1-11.)

15 Section 10. The Counties Code is amended by changing
16 Sections 3-10007, 4-6001, 4-6002, 4-6003, and 4-8002 as
17 follows:

18 (55 ILCS 5/3-10007) (from Ch. 34, par. 3-10007)

19 Sec. 3-10007. Annual stipend. In addition to all other
20 compensation provided by law, every elected county treasurer,
21 for additional duties mandated by State law, shall receive an
22 annual stipend of (i) \$5,000 if his or her term begins before
23 December 1, 1998, (ii) \$5,500 after December 1, 1998 and \$6,500
24 after December 1, 1999 if his or her term begins on or after

1 December 1, 1998 but before December 1, 2000, and (iii) \$6,500
2 if his or her term begins December 1, 2000 or thereafter, to be
3 annually appropriated from the Personal Property Tax
4 Replacement Fund by the General Assembly to the Department of
5 Revenue which shall distribute the awards in annual lump sum
6 payments to every elected county treasurer. This annual stipend
7 shall not affect any other compensation provided by law to be
8 paid to elected county treasurers. No county board may reduce
9 or otherwise impair the compensation payable from county funds
10 to an elected county treasurer if such reduction or impairment
11 is the result of his receiving an annual stipend under this
12 Section. No stipend shall be paid to county treasurers whose
13 terms of office begin on or after the effective date of this
14 amendatory Act of the 100th General Assembly.

15 (Source: P.A. 97-72, eff. 7-1-11.)

16 (55 ILCS 5/4-6001) (from Ch. 34, par. 4-6001)

17 Sec. 4-6001. Officers in counties of less than 2,000,000.

18 (a) In all counties of less than 2,000,000 inhabitants, the
19 compensation of Coroners, County Treasurers, County Clerks,
20 Recorders and Auditors shall be determined under this Section.
21 The County Board in those counties shall fix the amount of the
22 necessary clerk hire, stationery, fuel and other expenses of
23 those officers. The compensation of those officers shall be
24 separate from the necessary clerk hire, stationery, fuel and
25 other expenses, and such compensation (except for coroners in

1 those counties with less than 2,000,000 population in which the
2 coroner's compensation is set in accordance with Section
3 4-6002) shall be fixed within the following limits:

4 To each such officer in counties containing less than
5 14,000 inhabitants, not less than \$13,500 per annum.

6 To each such officer in counties containing 14,000 or more
7 inhabitants, but less than 30,000 inhabitants, not less than
8 \$14,500 per annum.

9 To each such officer in counties containing 30,000 or more
10 inhabitants but less than 60,000 inhabitants, not less than
11 \$15,000 per annum.

12 To each such officer in counties containing 60,000 or more
13 inhabitants but less than 100,000 inhabitants, not less than
14 \$15,000 per annum.

15 To each such officer in counties containing 100,000 or more
16 inhabitants but less than 200,000 inhabitants, not less than
17 \$16,500 per annum.

18 To each such officer in counties containing 200,000 or more
19 inhabitants but less than 300,000 inhabitants, not less than
20 \$18,000 per annum.

21 To each such officer in counties containing 300,000 or more
22 inhabitants but less than 2,000,000 inhabitants, not less than
23 \$20,000 per annum.

24 (b) Those officers beginning a term of office before
25 December 1, 1990 shall be compensated at the rate of their base
26 salary. "Base salary" is the compensation paid for each of

1 those offices, respectively, before July 1, 1989.

2 (c) Those officers beginning a term of office on or after
3 December 1, 1990 shall be compensated as follows:

4 (1) Beginning December 1, 1990, base salary plus at
5 least 3% of base salary.

6 (2) Beginning December 1, 1991, base salary plus at
7 least 6% of base salary.

8 (3) Beginning December 1, 1992, base salary plus at
9 least 9% of base salary.

10 (4) Beginning December 1, 1993, base salary plus at
11 least 12% of base salary.

12 (d) In addition to but separate and apart from the
13 compensation provided in this Section, the county clerk of each
14 county, the recorder of each county, and the chief clerk of
15 each county board of election commissioners shall receive an
16 award as follows:

17 (1) \$4,500 per year after January 1, 1998;

18 (2) \$5,500 per year after January 1, 1999; and

19 (3) \$6,500 per year after January 1, 2000.

20 The total amount required for such awards each year shall be
21 appropriated by the General Assembly to the State Board of
22 Elections which shall distribute the awards in annual lump sum
23 payments to the several county clerks, recorders, and chief
24 election clerks. Beginning December 1, 1990, this annual award,
25 and any other award or stipend paid out of State funds to
26 county officers, shall not affect any other compensation

1 provided by law to be paid to county officers. No stipend shall
2 be paid to county officers whose terms of office begin on or
3 after the effective date of this amendatory Act of the 100th
4 General Assembly.

5 (e) Beginning December 1, 1990, no county board may reduce
6 or otherwise impair the compensation payable from county funds
7 to a county officer if the reduction or impairment is the
8 result of the county officer receiving an award or stipend
9 payable from State funds.

10 (f) The compensation, necessary clerk hire, stationery,
11 fuel and other expenses of the county auditor, as fixed by the
12 county board, shall be paid by the county.

13 (g) The population of all counties for the purpose of
14 fixing compensation, as herein provided, shall be based upon
15 the last Federal census immediately previous to the election of
16 the officer in question in each county.

17 (h) With respect to an auditor who takes office on or after
18 the effective date of this amendatory Act of the 95th General
19 Assembly, the auditor shall receive an annual stipend of \$6,500
20 per year. The General Assembly shall appropriate the total
21 amount required for the stipend each year from the Personal
22 Property Tax Replacement Fund to the Department of Revenue, and
23 the Department of Revenue shall distribute the awards in an
24 annual lump sum payment to each county auditor. The stipend
25 shall be in addition to, but separate and apart from, the
26 compensation provided in this Section. No stipend shall be paid

1 to auditors whose terms of office begin on or after the
2 effective date of this amendatory Act of the 100th General
3 Assembly. No county board may reduce or otherwise impair the
4 compensation payable from county funds to the auditor if the
5 reduction or impairment is the result of the auditor receiving
6 an award or stipend pursuant to this subsection.

7 (Source: P.A. 97-72, eff. 7-1-11.)

8 (55 ILCS 5/4-6002) (from Ch. 34, par. 4-6002)

9 Sec. 4-6002. Coroners in counties of less than 2,000,000.

10 (a) The County Board, in all counties of less than
11 2,000,000 inhabitants, shall fix the compensation of Coroners
12 within the limitations fixed by this Division, and shall
13 appropriate for their necessary clerk hire, stationery, fuel,
14 supplies, and other expenses. The compensation of the Coroner
15 shall be fixed separately from his necessary clerk hire,
16 stationery, fuel and other expenses, and such compensation
17 shall be fixed within the following limits:

18 To each Coroner in counties containing less than 5,000
19 inhabitants, not less than \$4,500 per annum.

20 To each Coroner in counties containing 5,000 or more
21 inhabitants but less than 14,000 inhabitants, not less than
22 \$6,000 per annum.

23 To each Coroner in counties containing 14,000 or more
24 inhabitants, but less than 30,000 inhabitants, not less than
25 \$9,000 per annum.

1 To each Coroner in counties containing 30,000 or more
2 inhabitants, but less than 60,000 inhabitants, not less than
3 \$14,000 per annum.

4 To each Coroner in counties containing 60,000 or more
5 inhabitants, but less than 100,000 inhabitants, not less than
6 \$15,000 per annum.

7 To each Coroner in counties containing 100,000 or more
8 inhabitants, but less than 200,000 inhabitants, not less than
9 \$16,500 per annum.

10 To each Coroner in counties containing 200,000 or more
11 inhabitants, but less than 300,000 inhabitants, not less than
12 \$18,000 per annum.

13 To each Coroner in counties containing 300,000 or more
14 inhabitants, but less than 2,000,000 inhabitants, not less than
15 \$20,000 per annum.

16 The population of all counties for the purpose of fixing
17 compensation, as herein provided, shall be based upon the last
18 Federal census immediately previous to the election of the
19 Coroner in question in each county. This Section does not apply
20 to a county which has abolished the elective office of coroner.

21 (b) Those coroners beginning a term of office on or after
22 December 1, 1990 shall be compensated as follows:

23 (1) Beginning December 1, 1990, base salary plus at
24 least 3% of base salary.

25 (2) Beginning December 1, 1991, base salary plus at
26 least 6% of base salary.

1 (3) Beginning December 1, 1992, base salary plus at
2 least 9% of base salary.

3 (4) Beginning December 1, 1993, base salary plus at
4 least 12% of base salary.

5 "Base salary", as used in this subsection (b), means the
6 salary in effect before July 1, 1989.

7 (c) In addition to, but separate and apart from, the
8 compensation provided in this Section, subject to
9 appropriation, the coroner of each county shall receive an
10 annual stipend of \$6,500 to be paid by the Illinois Department
11 of Revenue out of the Personal Property Tax Replacement Fund if
12 his or her term begins on or after December 1, 2000. No stipend
13 shall be paid to coroners whose terms of office begin on or
14 after the effective date of this amendatory Act of the 100th
15 General Assembly.

16 (Source: P.A. 97-72, eff. 7-1-11.)

17 (55 ILCS 5/4-6003) (from Ch. 34, par. 4-6003)

18 Sec. 4-6003. Compensation of sheriffs for certain expenses
19 in counties of less than 2,000,000.

20 (a) The County Board, in all counties of less than
21 2,000,000 inhabitants, shall fix the compensation of sheriffs,
22 with the amount of their necessary clerk hire, stationery, fuel
23 and other expenses. The county shall supply the sheriff with
24 all necessary uniforms, guns and ammunition. The compensation
25 of each such officer shall be fixed separately from his

1 necessary clerk hire, stationery, fuel and other expenses.
2 Beginning immediately, no county with a population under
3 2,000,000 may reduce the rate of compensation of its sheriff
4 below the rate of compensation that it was actually paying to
5 its sheriff on January 1, 2002 or the effective date of this
6 amendatory Act of the 92nd General Assembly, whichever is
7 greater.

8 (b) In addition to the requirement of subsection (a), the
9 rate of compensation payable to the sheriff by the county shall
10 not be less than the following:

11 To each such sheriff in counties containing less than
12 10,000 inhabitants, not less than \$27,000 per annum.

13 To each such sheriff in counties containing 10,000 or more
14 inhabitants but less than 20,000 inhabitants, not less than
15 \$31,000 per annum.

16 To each such sheriff in counties containing 20,000 or more
17 inhabitants but less than 30,000 inhabitants, not less than
18 \$34,000 per annum.

19 To each such sheriff in counties containing 30,000 or more
20 inhabitants but less than 60,000 inhabitants, not less than
21 \$37,000 per annum.

22 To each such sheriff in counties containing 60,000 or more
23 inhabitants but less than 100,000 inhabitants, not less than
24 \$40,000 per annum.

25 To each such sheriff in counties containing 100,000 or more
26 inhabitants but less than 2,000,000 inhabitants, not less than

1 \$43,000 per annum.

2 The population of each county for the purpose of fixing
3 compensation as herein provided, shall be based upon the last
4 federal census immediately previous to the election of the
5 sheriff in question in such county.

6 (c) (Blank).

7 (d) In addition to the salary provided for in subsections
8 (a), (b), and (c), beginning December 1, 1998, subject to
9 appropriation, each sheriff, for his or her additional duties
10 imposed by other statutes or laws, shall receive an annual
11 stipend to be paid by the Illinois Department of Revenue out of
12 the Personal Property Tax Replacement Fund in the amount of
13 \$6,500. No stipend shall be paid to any sheriff whose term of
14 office begins on or after the effective date of this amendatory
15 Act of the 100th General Assembly.

16 (e) No county board may reduce or otherwise impair the
17 compensation payable from county funds to a sheriff if the
18 reduction or impairment is the result of the sheriff receiving
19 an award or stipend payable from State funds.

20 (Source: P.A. 97-72, eff. 7-1-11.)

21 (55 ILCS 5/4-8002) (from Ch. 34, par. 4-8002)

22 Sec. 4-8002. Additional compensation of sheriff and
23 recorder.

24 (a) In addition to any salary otherwise provided by law,
25 beginning December 1, 1998, subject to appropriation, the

1 sheriff of Cook County for his or her additional duties imposed
2 by other statutes or laws shall receive an annual stipend to be
3 paid by the Illinois Department of Revenue out of the Personal
4 Property Tax Replacement Fund in the amount of \$6,500. However,
5 no such stipend shall be paid to any sheriff of Cook County
6 whose term of office begins on or after the effective date of
7 this amendatory Act of the 100th General Assembly. The county
8 board shall not reduce or otherwise impair the compensation
9 payable from county funds to the sheriff if the reduction or
10 impairment is the result of the sheriff receiving a stipend
11 payable from State funds.

12 (b) In addition to any salary otherwise provided by law,
13 beginning December 1, 2000, subject to appropriation, the
14 recorder of deeds of Cook County for his or her additional
15 duties imposed by law shall receive an annual stipend to be
16 paid by the State in an amount equal to the stipend paid to
17 each recorder in other counties under subsection (d) of Section
18 4-6001 of this Code. However, no such stipend shall be paid to
19 any recorder of deeds of Cook County whose term of office
20 begins on or after the effective date of this amendatory Act of
21 the 100th General Assembly. The county board may not reduce or
22 otherwise impair the compensation payable from county funds to
23 the recorder of deeds if the reduction or impairment is the
24 result of the recorder of deeds receiving a stipend payable
25 from State funds.

26 (Source: P.A. 97-72, eff. 7-1-11; 97-619, eff. 11-14-11.)

1 Section 15. The Clerks of Courts Act is amended by changing
2 Section 27.3 as follows:

3 (705 ILCS 105/27.3) (from Ch. 25, par. 27.3)

4 Sec. 27.3. Compensation.

5 (a) The county board shall provide the compensation of
6 Clerks of the Circuit Court, and the amount necessary for clerk
7 hire, stationery, fuel and other expenses. Beginning December
8 1, 1989, the compensation per annum for Clerks of the Circuit
9 Court shall be as follows:

10 In counties where the population is:

11	Less than 14,000	at least \$13,500
12	14,001-30,000.....	at least \$14,500
13	30,001-60,000.....	at least \$15,000
14	60,001-100,000	at least \$15,000
15	100,001-200,000.....	at least \$16,500
16	200,001-300,000.....	at least \$18,000
17	300,001- 3,000,000	at least \$20,000
18	Over 3,000,000	at least \$55,000

19 (b) In counties in which the population is 3,000,000 or
20 less, "base salary" is the compensation paid for each Clerk of
21 the Circuit Court, respectively, before July 1, 1989.

22 (c) The Clerks of the Circuit Court, in counties in which
23 the population is 3,000,000 or less, shall be compensated as
24 follows:

1 (1) Beginning December 1, 1989, base salary plus at
2 least 3% of base salary.

3 (2) Beginning December 1, 1990, base salary plus at
4 least 6% of base salary.

5 (3) Beginning December 1, 1991, base salary plus at
6 least 9% of base salary.

7 (4) Beginning December 1, 1992, base salary plus at
8 least 12% of base salary.

9 (d) In addition to the compensation provided by the county
10 board, each Clerk of the Circuit Court shall receive an award
11 from the State for the additional duties imposed by Sections
12 5-9-1 and 5-9-1.2 of the Unified Code of Corrections, Section
13 10 of the Violent Crime Victims Assistance Act, Section 16-104a
14 of the Illinois Vehicle Code, and other laws, in the following
15 amount:

16 (1) \$3,500 per year before January 1, 1997.

17 (2) \$4,500 per year beginning January 1, 1997.

18 (3) \$5,500 per year beginning January 1, 1998.

19 (4) \$6,500 per year beginning January 1, 1999.

20 The total amount required for such awards shall be appropriated
21 each year by the General Assembly to the Supreme Court, which
22 shall distribute such awards in annual lump sum payments to the
23 Clerks of the Circuit Court in all counties. This annual award,
24 and any other award or stipend paid out of State funds to the
25 Clerks of the Circuit Court, shall not affect any other
26 compensation provided by law to be paid to Clerks of the

1 Circuit Court. No award or stipend authorized under this
2 subsection (d) shall be paid to any recorder of deeds of Cook
3 County whose term of office begins on or after the effective
4 date of this amendatory Act of the 100th General Assembly.

5 (e) (Blank).

6 (f) No county board may reduce or otherwise impair the
7 compensation payable from county funds to a Clerk of the
8 Circuit Court if the reduction or impairment is the result of
9 the Clerk of the Circuit Court receiving an award or stipend
10 payable from State funds.

11 (Source: P.A. 98-24, eff. 6-19-13.)

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