



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB3762

by Rep. Sam Yingling

#### SYNOPSIS AS INTRODUCED:

35 ILCS 200/3-40	
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
30 ILCS 805/8.41 new	

Amends the Property Tax Code, the Counties Code, and the Clerks of Courts Act. Makes changes to provisions concerning stipends paid to supervisors of assessments, county treasurers, county coroners, county recorders, county auditors, sheriffs, and clerks of the circuit court to provide that: (1) in counties with a population under 100,000, those officials shall receive a full stipend amount; (2) in counties with a population of 100,000 or more but less than 400,000, those officials shall receive 50% of the stipend amount; and (3) in counties with a population of 400,000 or more, those officials shall receive no stipend. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB100 03659 HLH 13664 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning revenue.

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 Section 3-40 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. Notwithstanding any other provision of law,  
19 supervisors of assessments in counties with a population of  
20 100,000 or more but less than 400,000 whose terms of office  
21 begin on or after the effective date of this amendatory Act of  
22 the 100th General Assembly shall receive 50% of the stipend  
23 amount set forth in this Section, and supervisors of  
24 assessments in counties with a population of 400,000 or more  
25 whose terms of office begin on or after the effective date of  
26 this amendatory Act of the 100th General Assembly shall receive

1 no stipend.

2 The salary set by the county board shall be paid in equal  
3 monthly installments out of the treasury of the county in which  
4 he or she is appointed or elected. If the Department has  
5 determined that the total assessed value of property in a  
6 county, as equalized by the supervisor of assessments under  
7 Section 9-210, is between 31 1/3% and 35 1/3% of the total fair  
8 cash value of property in the county, subject to appropriation,  
9 the Department shall reimburse the county monthly from the  
10 Personal Property Tax Replacement Fund 50% of the amount of  
11 salary the county paid to the officer for the preceding month.

12 The county board shall provide necessary office space for  
13 the officer and pay all necessary expenses of the office out of  
14 the county treasury.

15 Each supervisor of assessments may, with the advice and  
16 consent of the county board, appoint necessary deputies and  
17 clerks, their compensation to be fixed by the county board and  
18 paid by the county.

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

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

23 (55 ILCS 5/3-10007) (from Ch. 34, par. 3-10007)

24 Sec. 3-10007. Annual stipend. In addition to all other

1 compensation provided by law, every elected county treasurer,  
2 for additional duties mandated by State law, shall receive an  
3 annual stipend of (i) \$5,000 if his or her term begins before  
4 December 1, 1998, (ii) \$5,500 after December 1, 1998 and \$6,500  
5 after December 1, 1999 if his or her term begins on or after  
6 December 1, 1998 but before December 1, 2000, and (iii) \$6,500  
7 if his or her term begins December 1, 2000 or thereafter, to be  
8 annually appropriated from the Personal Property Tax  
9 Replacement Fund by the General Assembly to the Department of  
10 Revenue which shall distribute the awards in annual lump sum  
11 payments to every elected county treasurer. Notwithstanding  
12 any other provision of law, treasurers in counties with a  
13 population of 100,000 or more but less than 400,000 whose terms  
14 of office begin on or after the effective date of this  
15 amendatory Act of the 100th General Assembly shall receive 50%  
16 of the full stipend amount set forth in this Section, and  
17 treasurers in counties with a population of 400,000 or more  
18 whose terms of office begin on or after the effective date of  
19 this amendatory Act of the 100th General Assembly shall receive  
20 no stipend. This annual stipend shall not affect any other  
21 compensation provided by law to be paid to elected county  
22 treasurers. No county board may reduce or otherwise impair the  
23 compensation payable from county funds to an elected county  
24 treasurer if such reduction or impairment is the result of his  
25 receiving an annual stipend under this Section.

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

1 (55 ILCS 5/4-6001) (from Ch. 34, par. 4-6001)

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

3 (a) In all counties of less than 2,000,000 inhabitants, the  
4 compensation of Coroners, County Treasurers, County Clerks,  
5 Recorders and Auditors shall be determined under this Section.  
6 The County Board in those counties shall fix the amount of the  
7 necessary clerk hire, stationery, fuel and other expenses of  
8 those officers. The compensation of those officers shall be  
9 separate from the necessary clerk hire, stationery, fuel and  
10 other expenses, and such compensation (except for coroners in  
11 those counties with less than 2,000,000 population in which the  
12 coroner's compensation is set in accordance with Section  
13 4-6002) shall be fixed within the following limits:

14 To each such officer in counties containing less than  
15 14,000 inhabitants, not less than \$13,500 per annum.

16 To each such officer in counties containing 14,000 or more  
17 inhabitants, but less than 30,000 inhabitants, not less than  
18 \$14,500 per annum.

19 To each such officer in counties containing 30,000 or more  
20 inhabitants but less than 60,000 inhabitants, not less than  
21 \$15,000 per annum.

22 To each such officer in counties containing 60,000 or more  
23 inhabitants but less than 100,000 inhabitants, not less than  
24 \$15,000 per annum.

25 To each such officer in counties containing 100,000 or more

1 inhabitants but less than 200,000 inhabitants, not less than  
2 \$16,500 per annum.

3 To each such officer in counties containing 200,000 or more  
4 inhabitants but less than 300,000 inhabitants, not less than  
5 \$18,000 per annum.

6 To each such officer in counties containing 300,000 or more  
7 inhabitants but less than 2,000,000 inhabitants, not less than  
8 \$20,000 per annum.

9 (b) Those officers beginning a term of office before  
10 December 1, 1990 shall be compensated at the rate of their base  
11 salary. "Base salary" is the compensation paid for each of  
12 those offices, respectively, before July 1, 1989.

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

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

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

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

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

23 (d) In addition to but separate and apart from the  
24 compensation provided in this Section, the county clerk of each  
25 county, the recorder of each county, and the chief clerk of  
26 each county board of election commissioners shall receive an

1 award as follows:

- 2 (1) \$4,500 per year after January 1, 1998;  
3 (2) \$5,500 per year after January 1, 1999; and  
4 (3) \$6,500 per year after January 1, 2000.

5 The total amount required for such awards each year shall be  
6 appropriated by the General Assembly to the State Board of  
7 Elections which shall distribute the awards in annual lump sum  
8 payments to the several county clerks, recorders, and chief  
9 election clerks. Beginning December 1, 1990, this annual award,  
10 and any other award or stipend paid out of State funds to  
11 county officers, shall not affect any other compensation  
12 provided by law to be paid to county officers. Notwithstanding  
13 any other provision of law, county clerks, recorders, and chief  
14 election clerks in counties with a population of 100,000 or  
15 more but less than 400,000 whose terms of office begin on or  
16 after the effective date of this amendatory Act of the 100th  
17 General Assembly shall receive 50% of the full stipend amount  
18 set forth in this Section, and county clerks, recorders, and  
19 chief election clerks in counties with a population of 400,000  
20 or more whose terms of office begin on or after the effective  
21 date of this amendatory Act of the 100th General Assembly shall  
22 receive no stipend.

23 (e) Beginning December 1, 1990, no county board may reduce  
24 or otherwise impair the compensation payable from county funds  
25 to a county officer if the reduction or impairment is the  
26 result of the county officer receiving an award or stipend



1 payable from State funds.

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

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

9 (h) With respect to an auditor who takes office on or after  
10 the effective date of this amendatory Act of the 95th General  
11 Assembly, the auditor shall receive an annual stipend of \$6,500  
12 per year. The General Assembly shall appropriate the total  
13 amount required for the stipend each year from the Personal  
14 Property Tax Replacement Fund to the Department of Revenue, and  
15 the Department of Revenue shall distribute the awards in an  
16 annual lump sum payment to each county auditor. The stipend  
17 shall be in addition to, but separate and apart from, the  
18 compensation provided in this Section. Notwithstanding any  
19 other provision of law, county auditors in counties with a  
20 population of 100,000 or more but less than 400,000 whose terms  
21 of office begin on or after the effective date of this  
22 amendatory Act of the 100th General Assembly shall receive 50%  
23 of the full stipend amount set forth in this Section, and  
24 county auditors in counties with a population of 400,000 or  
25 more whose terms of office begin on or after the effective date  
26 of this amendatory Act of the 100th General Assembly shall

1 receive no stipend. No county board may reduce or otherwise  
2 impair the compensation payable from county funds to the  
3 auditor if the reduction or impairment is the result of the  
4 auditor receiving an award or stipend pursuant to this  
5 subsection.

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

7 (55 ILCS 5/4-6002) (from Ch. 34, par. 4-6002)

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

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

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

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

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

25 To each Coroner in counties containing 30,000 or more

1 inhabitants, but less than 60,000 inhabitants, not less than  
2 \$14,000 per annum.

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

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

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

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

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

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

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

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

26 (3) Beginning December 1, 1992, base salary plus at

1 least 9% of base salary.

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

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

6 (c) In addition to, but separate and apart from, the  
7 compensation provided in this Section, subject to  
8 appropriation, the coroner of each county shall receive an  
9 annual stipend of \$6,500 to be paid by the Illinois Department  
10 of Revenue out of the Personal Property Tax Replacement Fund if  
11 his or her term begins on or after December 1, 2000.  
12 Notwithstanding any other provision of law, coroners in  
13 counties with a population of 100,000 or more but less than  
14 400,000 whose terms of office begin on or after the effective  
15 date of this amendatory Act of the 100th General Assembly shall  
16 receive 50% of the full stipend amount set forth in this  
17 Section, and coroners in counties with a population of 400,000  
18 or more whose terms of office begin on or after the effective  
19 date of this amendatory Act of the 100th General Assembly shall  
20 receive no stipend.

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

22 (55 ILCS 5/4-6003) (from Ch. 34, par. 4-6003)

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

25 (a) The County Board, in all counties of less than

1 2,000,000 inhabitants, shall fix the compensation of sheriffs,  
2 with the amount of their necessary clerk hire, stationery, fuel  
3 and other expenses. The county shall supply the sheriff with  
4 all necessary uniforms, guns and ammunition. The compensation  
5 of each such officer shall be fixed separately from his  
6 necessary clerk hire, stationery, fuel and other expenses.  
7 Beginning immediately, no county with a population under  
8 2,000,000 may reduce the rate of compensation of its sheriff  
9 below the rate of compensation that it was actually paying to  
10 its sheriff on January 1, 2002 or the effective date of this  
11 amendatory Act of the 92nd General Assembly, whichever is  
12 greater.

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

16 To each such sheriff in counties containing less than  
17 10,000 inhabitants, not less than \$27,000 per annum.

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

21 To each such sheriff in counties containing 20,000 or more  
22 inhabitants but less than 30,000 inhabitants, not less than  
23 \$34,000 per annum.

24 To each such sheriff in counties containing 30,000 or more  
25 inhabitants but less than 60,000 inhabitants, not less than  
26 \$37,000 per annum.

1           To each such sheriff in counties containing 60,000 or more  
2 inhabitants but less than 100,000 inhabitants, not less than  
3 \$40,000 per annum.

4           To each such sheriff in counties containing 100,000 or more  
5 inhabitants but less than 2,000,000 inhabitants, not less than  
6 \$43,000 per annum.

7           The population of each county for the purpose of fixing  
8 compensation as herein provided, shall be based upon the last  
9 federal census immediately previous to the election of the  
10 sheriff in question in such county.

11           (c) (Blank).

12           (d) In addition to the salary provided for in subsections  
13 (a), (b), and (c), beginning December 1, 1998, subject to  
14 appropriation, each sheriff, for his or her additional duties  
15 imposed by other statutes or laws, shall receive an annual  
16 stipend to be paid by the Illinois Department of Revenue out of  
17 the Personal Property Tax Replacement Fund in the amount of  
18 \$6,500. Notwithstanding any other provision of law, sheriffs in  
19 counties with a population of 100,000 or more but less than  
20 400,000 whose terms of office begin on or after the effective  
21 date of this amendatory Act of the 100th General Assembly shall  
22 receive 50% of the full stipend amount set forth in this  
23 Section, and sheriffs in counties with a population of 400,000  
24 or more whose terms of office begin on or after the effective  
25 date of this amendatory Act of the 100th General Assembly shall  
26 receive no stipend.

1 (e) No county board may reduce or otherwise impair the  
2 compensation payable from county funds to a sheriff if the  
3 reduction or impairment is the result of the sheriff receiving  
4 an award or stipend payable from State funds.

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

6 (55 ILCS 5/4-8002) (from Ch. 34, par. 4-8002)

7 Sec. 4-8002. Additional compensation of sheriff and  
8 recorder.

9 (a) In addition to any salary otherwise provided by law,  
10 beginning December 1, 1998, subject to appropriation, the  
11 sheriff of Cook County for his or her additional duties imposed  
12 by other statutes or laws shall receive an annual stipend to be  
13 paid by the Illinois Department of Revenue out of the Personal  
14 Property Tax Replacement Fund in the amount of \$6,500.  
15 Notwithstanding any other provision of law, no Cook County  
16 Sheriff whose term of office begins on or after the effective  
17 date of this amendatory Act of the 100th General Assembly shall  
18 receive a stipend. The county board shall not reduce or  
19 otherwise impair the compensation payable from county funds to  
20 the sheriff if the reduction or impairment is the result of the  
21 sheriff receiving a stipend payable from State funds.

22 (b) In addition to any salary otherwise provided by law,  
23 beginning December 1, 2000, subject to appropriation, the  
24 recorder of deeds of Cook County for his or her additional  
25 duties imposed by law shall receive an annual stipend to be

1 paid by the State in an amount equal to the stipend paid to  
 2 each recorder in other counties under subsection (d) of Section  
 3 4-6001 of this Code. Notwithstanding any other provision of  
 4 law, no Cook County Recorder of Deeds whose term of office  
 5 begins on or after the effective date of this amendatory Act of  
 6 the 100th General Assembly shall receive a stipend. The county  
 7 board may not reduce or otherwise impair the compensation  
 8 payable from county funds to the recorder of deeds if the  
 9 reduction or impairment is the result of the recorder of deeds  
 10 receiving a stipend payable from State funds.

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

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

14 (705 ILCS 105/27.3) (from Ch. 25, par. 27.3)

15 Sec. 27.3. Compensation.

16 (a) The county board shall provide the compensation of  
 17 Clerks of the Circuit Court, and the amount necessary for clerk  
 18 hire, stationery, fuel and other expenses. Beginning December  
 19 1, 1989, the compensation per annum for Clerks of the Circuit  
 20 Court shall be as follows:

21 In counties where the population is:

22	Less than 14,000 .....	at least \$13,500
23	14,001-30,000.....	at least \$14,500
24	30,001-60,000.....	at least \$15,000



1	60,001-100,000 .....	at least \$15,000
2	100,001-200,000.....	at least \$16,500
3	200,001-300,000.....	at least \$18,000
4	300,001- 3,000,000 .....	at least \$20,000
5	Over 3,000,000 .....	at least \$55,000

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

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

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

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

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

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

20 (d) In addition to the compensation provided by the county  
21 board, each Clerk of the Circuit Court shall receive an award  
22 from the State for the additional duties imposed by Sections  
23 5-9-1 and 5-9-1.2 of the Unified Code of Corrections, Section  
24 10 of the Violent Crime Victims Assistance Act, Section 16-104a  
25 of the Illinois Vehicle Code, and other laws, in the following  
26 amount:

- 1 (1) \$3,500 per year before January 1, 1997.
- 2 (2) \$4,500 per year beginning January 1, 1997.
- 3 (3) \$5,500 per year beginning January 1, 1998.
- 4 (4) \$6,500 per year beginning January 1, 1999.

5 The total amount required for such awards shall be appropriated  
6 each year by the General Assembly to the Supreme Court, which  
7 shall distribute such awards in annual lump sum payments to the  
8 Clerks of the Circuit Court in all counties. Notwithstanding  
9 any other provision of law, Clerks of the Circuit Court in  
10 counties with a population of 100,000 or more but less than  
11 400,000 whose terms of office begin on or after the effective  
12 date of this amendatory Act of the 100th General Assembly shall  
13 receive 50% of the full stipend amount set forth in this  
14 Section, and Clerks of the Circuit Court in counties with a  
15 population of 400,000 or more whose terms of office begin on or  
16 after the effective date of this amendatory Act of the 100th  
17 General Assembly shall receive no stipend. This annual award,  
18 and any other award or stipend paid out of State funds to the  
19 Clerks of the Circuit Court, shall not affect any other  
20 compensation provided by law to be paid to Clerks of the  
21 Circuit Court.

22 (e) (Blank).

23 (f) No county board may reduce or otherwise impair the  
24 compensation payable from county funds to a Clerk of the  
25 Circuit Court if the reduction or impairment is the result of  
26 the Clerk of the Circuit Court receiving an award or stipend

1 payable from State funds.

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

3 Section 90. The State Mandates Act is amended by adding  
4 Section 8.41 as follows:

5 (30 ILCS 805/8.41 new)

6 Sec. 8.41. Exempt mandate. Notwithstanding Sections 6 and 8  
7 of this Act, no reimbursement by the State is required for the  
8 implementation of any mandate created by this amendatory Act of  
9 the 100th General Assembly.

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