

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Cemetery Association Act is amended by
5 changing Section 4 as follows:

6 (805 ILCS 320/4) (from Ch. 21, par. 38)

7 Sec. 4. That said persons so receiving said certificate of
8 organization of said association shall proceed to elect from
9 their own number a board of trustees for said association,
10 which said board shall consist of not less than six (6) nor
11 more than ten (10) members, as said persons so receiving said
12 certificate may determine; that said trustees when elected
13 shall immediately organize by electing from their own
14 membership a president, vice president and treasurer, and shall
15 also elect a secretary, who may or may not be a member of said
16 board of trustees, in their discretion, which said officers
17 shall hold their respective offices for and during the period
18 of one (1) year, and until their successors are duly elected
19 and qualified. Said trustees when so elected shall divide
20 themselves by lot into two classes, the first of which shall
21 hold their offices for and during the period of three (3)
22 years, and the second of which shall hold their offices for and
23 during the period of six (6) years, and that thereafter the

1 term of office of said trustees shall be six (6) years, and
2 that upon the expiration of the term of office of any of said
3 trustees, or in case of the resignation or death or removal
4 from the State of Illinois of any of said trustees, or their
5 removal from office as provided in this Act ~~act~~, the remaining
6 trustees, or a majority of them, shall notify the presiding
7 officer of the County Board in which said cemetery is situated,
8 of such vacancy or vacancies in writing, except that in the
9 counties of DuPage, Kane, Kendall, Lake, McHenry, and Will the
10 notice shall be provided to the township supervisor of the
11 township in which the cemetery is located. Upon receiving
12 notice of a vacancy, the ~~and thereupon said~~ presiding officer
13 of the county board or, in cases in which the township
14 supervisor is the appointing authority, the township
15 supervisor with the advice and consent of the township board
16 shall appoint some suitable person or persons to fill such
17 vacancy or vacancies; and that thereafter the presiding officer
18 of the county board in which said cemetery association is
19 located or, in cases in which the township supervisor is the
20 appointing authority, the township supervisor of the township
21 in which the cemetery association is located shall always
22 appoint some suitable person or persons interested in said
23 cemetery association through family interments or who are
24 citizens of the State of Illinois. If a township in which the
25 township supervisor has the appointment authority under this
26 Section is dissolved, the appointment authority shall vest in

1 the presiding officer of the county board and the cemetery
2 association shall provide notice of vacancies to the presiding
3 officer to the county board of the county in which the cemetery
4 association is located. A township does not assume any
5 financial responsibility with respect to a cemetery
6 association because of the appointment authority granted by
7 this Section.

8 (Source: P.A. 97-679, eff. 2-6-12.)