

1 AN ACT to create the Taxpayer Action Board.

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

4 Section 1. Short title. This Act may be cited as the  
5 Taxpayer Action Board Act.

6 Section 5. Purpose. The purpose of this Act is to  
7 promote the health, welfare, and prosperity of all citizens  
8 of this State who reside in the counties to which this Act  
9 applies (i) by ensuring effective and democratic  
10 representation of taxpayers before all units of local  
11 government that impose taxes in those counties and (ii) by  
12 providing for taxpayer education on taxing and spending by  
13 those units of local government. This purpose shall be  
14 deemed a statewide interest and not a private or special  
15 concern.

16 Section 10. Definitions. As used in this Act:

17 "Campaign contribution" means any money, good, service,  
18 credit, or other benefit provided or promised for the purpose  
19 of electing a candidate to the board of directors of a TAB.  
20 "Campaign contribution" does not include: (i) the value of  
21 services provided without compensation by individuals who  
22 volunteer a portion or all of their time on behalf of a  
23 candidate or political committee; (ii) the use of real or  
24 personal property voluntarily provided by an individual for  
25 candidate-related activities; or (iii) the cost of  
26 invitations, food, and beverages provided by an individual  
27 for candidate-related activities on the individual's  
28 residential premises, if the cumulative value of these items  
29 provided to any candidate by an individual does not exceed  
30 \$100 for any election.

1 "Campaign expenditure" means any payment, use,  
2 distribution, or gift of money or anything of value made or  
3 promised for the purpose of electing a candidate to the board  
4 of directors of a TAB. "Campaign expenditure" does not  
5 include: (i) the value of services provided without  
6 compensation by individuals who volunteer a portion or all of  
7 their time on behalf of a candidate or political committee;  
8 (ii) the use of real or personal property voluntarily  
9 provided by an individual for candidate-related activities;  
10 or (iii) the cost of invitations, food, and beverages  
11 provided by an individual for candidate-related activities on  
12 the individual's residential premises, if the cumulative  
13 value of these items provided to any candidate by an  
14 individual does not exceed \$100 for any election.

15 "Director" means any person duly elected or appointed to  
16 a TAB board of directors under Section 80 or 85 of this Act.

17 "Member" means any person who meets the requirements for  
18 membership in the TAB set forth in Section 35 of this Act.

19 "Redistricting" means the redistricting of county board  
20 districts.

21 "TAB" means Taxpayer Action Board.

22 "Taxpayer" means any citizen of the county who pays taxes  
23 either directly or indirectly to any unit of local government  
24 within that county.

25 "The county", unless otherwise defined, means any county  
26 in which a TAB is established.

27 Section 15. Counties that may establish a TAB. Any  
28 county with a population of greater than 200,000 inhabitants  
29 that is contiguous to a county with a population of 2,000,000  
30 or more inhabitants may establish a Taxpayer Action Board by  
31 initiative petition and referendum.

32 Section 20. Petition requirements; form.

1           (a) Any petition to establish a TAB shall be filed with  
 2 the county clerk. The petition shall be signed by the number  
 3 of voters in the county equal to at least 5% of the number of  
 4 votes cast in that county at the last election for governor.  
 5 The petition must be filed not less than 78 days prior to a  
 6 regular election to be eligible for submission on the ballot  
 7 of that election.

8           (b) The petition shall request the submission of the  
 9 proposition at the next regular election for the purpose of  
 10 voting for or against establishing a Taxpayer Action Board.

11           The question of establishing a Taxpayer Action Board  
 12 shall be in substantially the following form:

13                   Shall a Taxpayer Action Board be established in  
 14           ..... County to represent the interests of taxpayers  
 15           before all units of local government in ..... County?  
 16           Votes shall be recorded as "Yes" or "No".

17           Section 25. Passage of question. If a majority of all  
 18 ballots cast on the proposition in a county are in favor of  
 19 the proposition then a TAB shall be established in that  
 20 county as provided in this Act.

21           Section 30. Applicability of Election Code. The  
 22 referendum authorized by this Act shall be conducted in the  
 23 manner provided by the Election Code.

24           Section 35. TAB membership; fees; dissolution.

25           (a) In each county that passes the question in Section  
 26 20, there is created a public body corporate and politic to  
 27 be known as the Taxpayer Action Board of ..... County, or  
 28 ..... County TAB.

29           (b) The membership of each TAB shall consist of all  
 30 natural persons who are residents of the county and have  
 31 contributed to the TAB the required annual membership fee in

1 the preceding 12 months.

2 (c) Until 180 days after each TAB's first election of  
3 directors, the TAB's annual membership fee shall be \$5.  
4 Thereafter, the TAB may, by vote of its board of directors,  
5 alter the annual membership fee and may create a sliding fee  
6 structure related to a member's income.

7 (d) A TAB shall not be an agency of the State or county  
8 government.

9 (e) If, after the TAB has been incorporated for a period  
10 of 3 years, the TAB's membership remains below 500 members  
11 for an entire year, the board of directors of the TAB shall  
12 dissolve the TAB.

13 Section 40. TAB duties and functions; rights and powers.

14 (a) Each TAB shall:

15 (1) inform, educate, and advise taxpayers and  
16 others on taxes and spending by all units of local  
17 government in its county;

18 (2) represent and promote the interests of  
19 taxpayers in local tax matters as individual taxpayers  
20 and collectively in terms of local community needs and  
21 broad public interest;

22 (3) take affirmative measures to encourage  
23 membership by low and moderate income and minority  
24 taxpayers, disseminate information and advice to these  
25 taxpayers, and represent their interests in local tax  
26 matters;

27 (4) inform, insofar as possible, taxpayers about  
28 the TAB, including the procedures for obtaining  
29 membership in the TAB; and

30 (5) refrain from interfering with collective  
31 bargaining rights of any employee of a local government.

32 (b) Each TAB shall have, in addition to the rights and  
33 powers provided by other provisions of this Act, the

1 following rights and powers:

2 (1) To represent the interests of taxpayers in  
3 local tax matters before units of State and local  
4 government, legislative bodies, and other public forums,  
5 at levy hearings and other proceedings of concern to  
6 taxpayers.

7 (2) To initiate, intervene as a party, or otherwise  
8 participate on behalf of taxpayers in any proceeding that  
9 the TAB reasonably determines may affect the interests of  
10 taxpayers.

11 (3) To represent the interest of taxpayers in the  
12 resolution of complaints involving a unit of local  
13 government.

14 (4) To negotiate on behalf of taxpayers with units  
15 of local government.

16 (5) To represent the interests of corporations,  
17 unincorporated businesses, and associations in tax  
18 matters before units of local government, legislative  
19 bodies, and other public forums where such representation  
20 is in the interests of taxpayers.

21 (6) To conduct, support, and assist research,  
22 surveys, and investigations in tax matters.

23 (7) To contract for services that cannot reasonably  
24 be performed by its employees.

25 (8) To make, amend, and repeal bylaws and rules for  
26 the regulation of its affairs and the conduct of its  
27 business; to adopt an official seal and alter it at  
28 pleasure; to maintain an office; to sue and be sued in  
29 its own name, plead and be impleaded; and to make and  
30 execute contracts and other instruments necessary or  
31 convenient to the exercise of the powers of the TAB.

32 (9) To employ any agents, employees, and special  
33 advisors as it finds necessary and to fix their  
34 compensation.

1           (10) To solicit and accept gifts, loans, or other  
2 aid in order to support activities concerning the  
3 interests of taxpayers; except that the TAB may not  
4 accept gifts, loans, or other aid from any unit of local  
5 government or from any official, employee, or agent or  
6 member of the immediate family of an official, employee,  
7 or agent of any unit of local government. Under this  
8 paragraph, "aid" does not mean payment of membership  
9 dues.

10           (11) To implement solicitation for TAB funding and  
11 membership.

12           (12) To seek tax exempt status under State and  
13 federal law, including 501(c)(3) status under the United  
14 States Internal Revenue Code.

15           (13) To provide information and advice to taxpayers  
16 on any matter with respect to taxes.

17           The powers, duties, rights, and privileges conferred or  
18 imposed upon the TAB by this Act may not be transferred.

19           (c) The TAB shall make available to the public any of  
20 the following documents prepared by or filed with the TAB  
21 within the preceding 7 years:

22           (1) Minutes of the board of directors meetings.

23           (2) Director's or executive director's financial  
24 statements.

25           (3) Candidate's financial statements.

26           (4) Annual reports of the TAB.

27           Section 45. Board of directors. Each TAB shall be  
28 managed by, and its powers, functions and duties shall be  
29 exercised through, a board of directors to be composed as  
30 follows:

31           (a) Election and terms of directors. The TAB districts  
32 shall be divided into 2 groups for the purpose of  
33 establishing terms for which the directors shall be elected

1 in each group. One group shall be comprised of the even  
2 numbered county board districts. The odd numbered county  
3 board districts shall comprise the other group. A TAB board  
4 of directors shall consist of at least 10 directors. In a  
5 county with less than 10 districts, the total number of  
6 directors shall be twice the number of election districts of  
7 that county.

8 (1) The interim board, within 60 days after their  
9 appointment, shall meet and publicly determine by lot  
10 which group shall be the first group and which group  
11 shall be the second. The board members or their  
12 successors from the first group shall be elected for  
13 successive terms of 2 years, 2 years, and 4 years; and  
14 members or their successors from the second group shall  
15 be elected for successive terms of 4 years, 2 years, and  
16 2 years.

17 (2) The first election of directors of the board is  
18 to be held no later than 8 months after the first meeting  
19 of the interim board. Subsequent elections of directors  
20 of the board shall be held every 2 years after the first  
21 election. The board, however, may change the election  
22 date for the second election to up to one month before or  
23 after the second anniversary of the first election. All  
24 subsequent elections shall occur every 2 years on the  
25 anniversary of the second election. This cycle shall  
26 begin anew in the year following each decennial  
27 redistricting. If the election day falls on a weekend or  
28 holiday, the election shall occur on the next business  
29 day. In the year following a decennial redistricting all  
30 directors' terms shall end and elections for directors  
31 from the redrawn county board districts shall be held.

32 (3) Interim and elected board members shall serve  
33 until their successors are elected and have qualified.

34 (4) Within 45 days after the redistricted county

1 board districts are enacted, the board shall publicly  
2 allocate terms by lot between the 2 groups of districts  
3 as provided in paragraph (1) of this subsection. Board  
4 members or their successors from the first group shall be  
5 elected for successive terms of 2 years, 4 years, and 4  
6 years; and members or their successors from the second  
7 group shall be elected for successive terms of 4 years, 4  
8 years, and 2 years. In the year following a decennial  
9 redistricting all directors' terms shall end and  
10 elections for directors from the redrawn county board  
11 districts and for statewide directors shall be held.

12 (b) Qualifications. A director shall be a resident of  
13 the district he or she represents and a member of the TAB.  
14 No person who is an employee in any managerial or supervisory  
15 capacity, director, officer, or agent or who is a member of  
16 the immediate family of any employee, director, officer, or  
17 agent of any unit of local government is eligible to be a  
18 director. No director may hold any elective position in  
19 federal, State, or local government.

20 (c) Employment of director's family member. No director  
21 nor member of his or her immediate family shall, either  
22 directly or indirectly, be employed for compensation as a  
23 staff member or consultant of the TAB.

24 (d) Meetings. The board shall hold regular meetings at  
25 least once every 3 months on the dates and at the places as  
26 it may determine. Special meetings may be called by the  
27 president or by a majority of the directors upon at least 7  
28 days advance written notice. Unless otherwise provided in the  
29 bylaws, a majority of the board of directors shall constitute  
30 a quorum. In no event, however, shall a quorum consist of  
31 less than one-third of the board of directors. The act of  
32 the majority of the directors present at a meeting at which  
33 a quorum is present shall be the act of the board of  
34 directors unless the act of a greater number is required by

1 this Act or its bylaws. A summary of the minutes of every  
2 board meeting shall be made available to each public library  
3 in the State upon request and to individuals upon request.

4 (e) Expenses. A director may not receive any  
5 compensation for his or her services, but shall be reimbursed  
6 for necessary expenses, including travel expenses incurred in  
7 the discharge of duties. The board shall establish standard  
8 allowances for mileage, room, and meals and the purposes for  
9 which allowances may be made. The board shall determine the  
10 reasonableness and necessity for reimbursements. The board  
11 shall include the schedule of standard allowances in the  
12 annual report under paragraph (4) of subsection (c) of  
13 Section 40.

14 (f) Bonding. Directors and employees eligible to  
15 disburse funds shall be bonded. The costs of the bonds shall  
16 be paid by the TAB.

17 Section 50. Duties of the board; executive director. The  
18 board shall have the following duties:

19 (a) To establish the policy of the TAB regarding  
20 appearances before units of local government, legislative  
21 bodies, and other public authorities and regarding other  
22 activities that the TAB has the authority to perform under  
23 this Act.

24 (b) To employ an executive director who shall have the  
25 following powers and duties, subject at all times to the  
26 direction and supervision of the board:

27 (1) To implement the policy established by the  
28 board under subsection (a).

29 (2) To employ and discharge employees of the TAB.

30 (3) To supervise the offices, facilities, and work  
31 of the employees of the TAB.

32 (4) To have custody of and maintain the books,  
33 records, and membership rolls of the TAB.

1           (5) To prepare and submit to the board annual and  
2 quarterly statements of the financial and substantive  
3 operations of the TAB and financial estimates for the  
4 future operations of the TAB.

5           (6) To attend and participate in meetings of the  
6 board, but without a vote.

7           (7) To file annually with the board a current  
8 financial statement that includes the information  
9 required under subsection (c) of Section 85.

10          (8) To exercise any other powers and perform any  
11 other duties as the board delegates.

12          (c) To hold an annual meeting of the membership on a  
13 date and at a place within the county to be determined by the  
14 board under Section 65.

15          (d) To assure preparation of:

16           (1) Up-to-date membership rolls.

17           (2) Quarterly statements of the financial and  
18 substantive operations of the TAB.

19           (3) An audit of the TAB's books at least once each  
20 fiscal year. The audit shall be by a certified public  
21 accountant.

22           (4) A report at the close of the TAB's fiscal year.  
23 This report shall be made available to each of the TAB's  
24 members, as well as to members of the news media who  
25 request it. Also, the report shall be made available to  
26 each library in the county that requests it, and to  
27 individuals upon request.

28          (e) To establish and make available to the public a  
29 written policy on the availability and distribution of all  
30 records required to be kept by the TAB under this Act.

31          (f) To prepare membership applications and distribute  
32 the applications in sufficient amounts or in machine copyable  
33 form, upon request, to every library system in the county, as  
34 defined in Section 2 of the Illinois Library System Act, for

1 distribution of the applications to all of the public  
2 libraries throughout the county, so taxpayers may obtain the  
3 applications to submit to the TAB, with annual dues, for  
4 membership.

5 (g) To provide all candidates for election to the board  
6 as district directors a current list of members residing in  
7 the candidate's district upon certification of nomination  
8 under subsection (b) of Section 85 and within 5 days of a  
9 request by the candidate. The board may restrict a  
10 candidate's use of a list as it deems appropriate.

11 (h) To carry out all other duties and responsibilities  
12 imposed upon the TAB and the board under this Act.

13 Section 55. Director financial statement. Every director  
14 shall annually file with the board a current financial  
15 statement which includes the information required under  
16 subsection (c) of Section 85.

17 Section 60. Executive director; qualifications.

18 (a) The executive director hired by the board under  
19 Section 50 shall have the same qualifications as a director  
20 under Section 85, except that the executive director need not  
21 be a resident of the TAB's county nor a member of the TAB.  
22 The executive director may not be a candidate for director  
23 while serving as executive director.

24 (b) The board shall adhere to any applicable State or  
25 federal law prohibiting discrimination in employment in  
26 hiring the executive director under Section 50.

27 (c) The board shall require all applicants for the  
28 position of executive director of a TAB to file a financial  
29 statement that includes the information required under  
30 subsection (c) of Section 85. The board shall require the  
31 executive director to annually file a current statement.

1           Section 65. Annual membership meeting. All members  
2 shall be eligible to attend, participate in, and vote in the  
3 annual membership meeting called by the board under  
4 subsection (c) of Section 50. The meeting shall be open to  
5 the public and shall be held in different districts on a  
6 rotating basis to the extent feasible. Each year a meeting  
7 shall be held in each board district for the members of the  
8 district. The members shall receive notice of that meeting  
9 at least 14 days in advance.

10           Section 70. Mailing procedure.

11           (a) As used in this Section:

12           "Enclosure" means a card, leaflet, envelope, or  
13 combination thereof furnished by the TAB under this Section.

14           "County mailing" means any mailing by the county to 1000  
15 or more citizens.

16           (b) To accomplish its powers and duties under Section 40  
17 of this Act, the TAB, subject to the following limitations,  
18 may prepare and furnish, to the county official responsible  
19 for the county mailing in which the TAB seeks to have its  
20 enclosure included, an enclosure to be included with that  
21 county mailing.

22           (1) The county official furnished with an enclosure  
23 shall include the enclosure within the county mailing  
24 designated by the TAB.

25           (2) An enclosure furnished by the TAB under this  
26 Section shall be provided to the county official a  
27 reasonable period of time in advance of the mailing.

28           (3) An enclosure furnished by a TAB under this  
29 Section shall be limited to informing the reader of the  
30 purpose, nature, and activities of the TAB as set forth  
31 in this Act and stating that the reader may become a  
32 member in the TAB, maintain membership in the TAB, and  
33 contribute money directly to the TAB.

1 (c) The TAB shall reimburse the county for all  
2 reasonable incremental costs incurred by the county in  
3 complying with this Section above the county's normal mailing  
4 and handling costs, provided that:

5 (1) the county official responsible for the mailing  
6 in which the TAB enclosure was included shall first  
7 furnish the TAB with an itemized accounting of the  
8 additional cost; and

9 (2) the TAB shall not be required to reimburse the  
10 county for postage costs if the weight of the TAB's  
11 enclosure does not exceed 0.35 ounce avoirdupois. If the  
12 TAB's enclosure exceeds that weight, then it shall only  
13 be required to reimburse the county for postage cost over  
14 and above what the county's postage cost would have been  
15 had the enclosure weighed only 0.35 avoirdupois.

16 (d) The TAB shall seek authority from municipalities and  
17 other local governments within its county to include  
18 enclosures within mailings by the municipalities and local  
19 governments of tax bills, utility bills, vehicle sticker  
20 renewal notices, newsletters, and other mailings to 100 or  
21 more citizens. This authority shall be sought under terms  
22 similar to those in subsections (a), (b), and (c) of this  
23 Section, but the TAB may accept this authority under any  
24 terms it deems are in the best interest of the TAB.

25 Section 75. Prohibited acts.

26 (a) No person may penalize any person who contributes to  
27 the TAB or participates in any of its activities in  
28 retribution for any such contributions or participation.

29 (b) No person may act with intent to prevent, interfere  
30 with, or hinder the activities permitted under this Act.

31 (c) A person who violates this Section shall be fined  
32 not more than \$1,000. Each violation shall constitute a  
33 separate offense. A person who knowingly and wilfully

1 violates this Section may be imprisoned not more than 6  
2 months.

3 Section 80. Interim board of directors.

4 (a) Within 90 days after this Act becomes effective in a  
5 county an interim board of directors shall be appointed. The  
6 Board shall consist of 9 members. The president of the county  
7 board shall appoint the members. The appointees shall  
8 reflect minority groups, low-income persons, labor  
9 organizations, business, women, senior citizens, and various  
10 geographical areas in the county. No interim director  
11 appointed under this Section may hold an elective position  
12 in, or be employed by, federal, State, or local government.

13 (b) The interim board appointed under this Section  
14 shall:

15 (1) As soon as possible after appointment, organize  
16 for the transaction of business.

17 (2) Inform taxpayers of the existence, nature, and  
18 purposes of the TAB, and encourage them to join the TAB,  
19 to participate in the TAB's activities, and to contribute  
20 to the TAB.

21 (3) Elect officers as provided under Section 95.

22 (4) Employ such staff as the interim directors deem  
23 necessary to carry out the purposes of this Section. The  
24 interim board appointed under this Section shall follow  
25 the procedures required under Section 60 if it hires an  
26 executive director.

27 (5) Make all necessary preparations for the first  
28 election of directors, oversee the election campaign, and  
29 tally the votes under Section 85.

30 (6) Solicit funds for the TAB.

31 (7) Carry out all other duties and exercise all  
32 other powers accorded to the board under this Act  
33 including the powers given to the TAB under Section 40.

1 Section 85. Nominations and elections.

2 (a) Eligibility. To be eligible for election to the  
3 board, a candidate must:

4 (1) Meet the qualifications for directors under  
5 Section 45.

6 (2) Have his or her nomination certified by the  
7 board under subsection (b) of this Section.

8 (3) Submit a statement of financial interests to  
9 the board as required by subsection (c) and a statement  
10 of personal background and positions as required by  
11 subsection (d).

12 (4) Make the affirmation under paragraph (5) of  
13 subsection (c).

14 (b) Nomination. A candidate for election to the board  
15 shall circulate or have a member of the TAB circulate a  
16 petition for nomination on the candidate's behalf not sooner  
17 than 120 days preceding the election and shall file the  
18 petition with the TAB not later than 60 days before the  
19 election. The petition for nomination for a director shall  
20 be signed by at least 10 members residing in his or her  
21 district. The board shall verify the validity of the  
22 signatures by comparing them to the signatures on the  
23 membership applications and the current list of members  
24 maintained by the board. Within 14 days after the petition  
25 is due, the board shall determine whether a sufficient number  
26 of signatures are valid. If the board determines a  
27 sufficient number are valid, it shall certify the nomination  
28 of the candidate.

29 (c) Statement of financial interests. With his or her  
30 petition for nomination, a candidate for election to the  
31 board shall submit to the board a statement of financial  
32 interests upon a form provided by the board. The statement  
33 of financial interests shall include the following  
34 information:

1           (1) The occupation, employer, and position at place  
2 of employment of the candidate and his or her immediate  
3 family members.

4           (2) A list of all corporate directorships or other  
5 offices, and of all fiduciary relationships, held in the  
6 past 3 years by the candidate and by his or her immediate  
7 family members.

8           (3) The name of any creditor to whom the candidate  
9 or a member of the candidate's immediate family owes  
10 \$10,000 or more.

11           (4) The name of any corporation in which the  
12 candidate holds a security with a current market value of  
13 \$5,000 or more.

14           (5) An affirmation, subject to penalty of perjury,  
15 that the information contained in the statement of  
16 financial interest is true and complete.

17           (d) Statement of personal background and positions. A  
18 candidate for election to the board shall submit to the board  
19 with his or her petition for nomination, on a form to be  
20 provided by the board, a statement concerning his or her  
21 personal background and positions on issues relating to taxes  
22 or the operations of the TAB. The statement shall contain an  
23 affirmation, subject to penalty of perjury, that the  
24 candidate meets the qualifications prescribed for directors  
25 in subsection (b) of Section 45.

26           (e) Restrictions on, and reporting of, campaign  
27 contributions and expenditures.

28           (1) No candidate may accept more than \$200 in  
29 campaign contributions from any person or political  
30 committee for a period beginning one year before the date  
31 of an election through the date of the election.

32           (2) Each candidate for election to the board shall  
33 keep complete records of all contributions to his or her  
34 campaign of \$25 or more for a period beginning one year

1 before the date of an election through the date of the  
2 election and, at the board's request, shall make these  
3 records available for inspection by the board.

4 (3) As a condition for receiving the benefits of  
5 the board's mailing under subsection (f), a candidate for  
6 election to the board shall agree in writing to incur no  
7 more than \$1,500 in campaign expenditures from the time  
8 he or she commences circulation of petitions for  
9 nomination or from 4 months prior to the election,  
10 whichever is earlier, through date of election.

11 (4) Each candidate for election to the board shall  
12 keep complete records of his or her campaign expenditures  
13 and, at the board's request, shall make the records  
14 available for inspection by the board.

15 (5) No earlier than 14 days and no later than 8  
16 days before the election, each candidate for election to  
17 the board shall submit to the board, on a form provided  
18 by the board, an accurate statement of his or her  
19 campaign contributions, swearing that he or she has fully  
20 complied with the requirements of this subsection.

21 (6) No candidate for election to the board may use  
22 any campaign contribution for any purpose except for  
23 campaign expenditures. Any campaign contribution not  
24 expended shall be donated no later than 90 days after the  
25 election to the TAB or to any charitable organization at  
26 the option of the candidate.

27 (f) Election procedures.

28 (1) Not sooner than 30 and not later than 10 days  
29 before the date fixed for the election, the board shall  
30 mail or distribute, to each member's address on file with  
31 the TAB, an official ballot listing all candidates for  
32 director from the member's district who satisfy the  
33 requirements of subsection (a). With the ballot, the  
34 board shall include each candidate's statement of

1 financial interests submitted under subsection (c). With  
2 each ballot the board shall also include the statement by  
3 each candidate of personal background and positions as  
4 required under subsection (d), if the candidate has  
5 agreed in writing to limit his or her campaign  
6 expenditures under subsection (e).

7 (2) Each member may vote in the election by  
8 returning his or her official ballot in person or by  
9 first class mail, properly marked, to the ballot return  
10 location designated by the TAB. Ballots returned to the  
11 location designated by the TAB must be postmarked on or  
12 before the date fixed for the election or must be  
13 received at the ballot return location designated by the  
14 TAB on or before the date fixed for the election.

15 (3) Voting shall be by secret ballot.

16 (4) The board shall tally votes with all reasonable  
17 speed and shall inform the membership promptly of the  
18 names of the candidates elected.

19 (5) Within 30 days after the election, the board  
20 for each district shall certify the candidate elected to  
21 the board if the candidate has the most votes in the  
22 district and if he or she has complied with this Section.

23 (6) If a vacancy in nomination occurs because no  
24 candidate has filed for nomination, the board, by a  
25 majority of those voting, shall appoint a member of the  
26 TAB who resides in the district to be the candidate.

27 (7) If the candidate with the most votes dies,  
28 declines, or resigns from candidacy before being  
29 certified under paragraph (5), the office for which the  
30 candidate ran shall be vacant and shall be filled by the  
31 board as provided in paragraph (8).

32 (8) If a vacancy on the board occurs with more than  
33 12 months remaining in the term, the board shall set a  
34 date for a special election for the district for the

1           purpose of electing a director to serve out the term of  
2           the vacant office and shall so notify every member in the  
3           district. The election may be not less than 2 months nor  
4           more than 4 months after the notification. An election  
5           under this Section shall be conducted in the same manner  
6           as other elections of directors. If less than 12 months  
7           remains in the term of a director, the board may appoint  
8           a member of the TAB who resides in the district where the  
9           vacancy exists to be the director from that district.

10          (g) Election rules. The board may prescribe rules for  
11          the conduct of elections and election campaigns consistent  
12          with this Act.

13          Section 90. Public inspection of statements. Statements  
14          filed with each TAB shall be available for public inspection  
15          at the office of the TAB during reasonable hours of the day.  
16          These records may be copied. The TAB may charge a reasonable  
17          fee for the cost of the copies.

18          Section 95. Board officers.

19          (a) Election. The interim board of directors and the  
20          board of directors, at the first regular meeting of each at  
21          which a quorum is present, shall elect by a majority vote of  
22          the directors present and voting a president, vice president,  
23          secretary, and treasurer. The board may elect other officers  
24          as it deems necessary.

25          (b) Term of office.

26                 (1) Board officers shall begin serving immediately  
27                 upon their election and their term of office shall be one  
28                 year. After his or her term of office has expired, a  
29                 board officer shall continue to serve until his or her  
30                 successor is elected.

31                 (2) If a board office is vacant, the board shall  
32                 elect a successor to serve out the term of the office.

1 (c) Powers and duties. Board officers shall exercise  
2 powers and perform duties as prescribed by this Act or as  
3 delegated to them by the board.

4 Section 100. Gifts; solicitations.

5 (a) No person may offer or give anything of monetary  
6 value to any director, employee, or agent of a TAB if the  
7 offer or gift influences or is intended to influence the  
8 action or judgement of the director, employee, or agent of  
9 the TAB in his or her capacity as director, employee, or  
10 agent of the TAB.

11 (b) No director, employee, or agent of a TAB may solicit  
12 or accept anything of monetary value from any person if the  
13 solicitation or acceptance influences or is intended to  
14 influence the official action or judgement of the director,  
15 employee, or agent in his or her capacity as director,  
16 employee, or agent of a TAB.

17 (c) Any person who knowingly and wilfully violates this  
18 Section shall be fined not more than \$1,000, imprisoned not  
19 more than 6 months, or both.

20 (d) The board shall remove from office any director  
21 convicted under this Section and shall fill that office as  
22 provided in Section 85.

23 Section 105. Endorsement of political party or candidate.  
24 A TAB may not sponsor, endorse, or otherwise support, nor may  
25 it oppose, any political party or the candidacy of any person  
26 for elected public office.

27 Section 110. Expenses; liabilities. All expenses of a TAB  
28 incurred in carrying out this Act shall be payable solely  
29 from the funding as provided under this Act and no liability  
30 may be incurred by a TAB beyond the extent to which moneys  
31 have been provided under this Act. For the purposes of

1 meeting the necessary expenses of postage, preparing, and  
2 printing the enclosure, initial organization, and operation  
3 of a TAB for the period commencing on the date this Act  
4 becomes effective in the county and continuing until the  
5 first election of the board of directors under Section 85,  
6 however, the TAB or any individual on behalf of the TAB may  
7 borrow money as it requires. Money so borrowed by the TAB or  
8 any individual shall subsequently be repaid with appropriate  
9 interest over a reasonable period of time.

10 Section 115. Dissolution. A TAB may dissolve or be  
11 dissolved under the General Not For Profit Corporation Act of  
12 1986.

13 Section 117. Tax levy; pledge of credit; obligations. A  
14 TAB shall have no right or authority to levy any tax or  
15 special assessment, to pledge the credit of the State or any  
16 other subdivision or municipal corporation of the State, or  
17 to incur any obligation enforceable upon any property within  
18 or without the county in which the TAB operates.

19 Section 120. Construction.

20 (a) This Act, being necessary for the welfare of the  
21 State and its inhabitants, shall be liberally construed to  
22 effect its purposes.

23 (b) Nothing in this Act shall be construed to (i) limit  
24 the right of any person to initiate, intervene in, or  
25 otherwise participate in any regulatory agency proceeding or  
26 court action, (ii) require any petition or notification to a  
27 TAB as a condition precedent to the exercise of any right, or  
28 (iii) relieve any regulatory agency or court of any  
29 obligation, or to affect its discretion, to permit  
30 intervention or participation by any person in any proceeding  
31 or action.

1           Section 125. Severability. The provisions of this Act  
2           are severable under Section 1.31 of the Statute on Statutes.

3           Section 999. Effective date. This Act takes effect upon  
4           becoming law.