

1 AMENDMENT TO SENATE BILL 714

2 AMENDMENT NO. _____. Amend Senate Bill 714 by replacing
3 the title with the following:

4 "AN ACT to create the Taxpayer Action Board."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 1. Short title. This Act may be cited as the
8 Taxpayer Action Board Act.

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

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

20 "Campaign contribution" means any money, good, service,

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

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

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

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

32 "Redistricting" means the redistricting of county board
33 districts.

34 "TAB" means Taxpayer Action Board.

1 "Taxpayer" means any citizen of the county who pays taxes
2 either directly or indirectly to any unit of local government
3 within that county.

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

6 Section 15. Counties that may establish a TAB. Any
7 county with a population of greater than 200,000 inhabitants
8 that is contiguous to a county with a population of 2,000,000
9 or more inhabitants may establish a Taxpayer Action Board by
10 initiative petition and referendum.

11 Section 20. Petition requirements; form.

12 (a) Any petition to establish a TAB shall be filed with
13 the county clerk. The petition shall be signed by the number
14 of voter in the county equal to at least 5% of the number of
15 votes cast in that county at the last election for governor.
16 The petition must be filed not less than 78 days prior to a
17 regular election to be eligible for submission on the ballot
18 of that election.

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

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

24 Shall a Taxpayer Action Board be established in
25 County to represent the interests of taxpayers
26 before all units of local government in County?
27 Votes shall be recorded as "Yes" or "No".

28 Section 25. Passage of question. If a majority of all
29 ballots cast on the proposition in a county are in favor of
30 the proposition then a TAB shall be established in that
31 county as provided in this Act.

1 Section 30. Applicability of Election Code. The
2 referendum authorized by this Act shall be conducted in the
3 manner provided by the Election Code.

4 Section 35. TAB membership; fees; dissolution.

5 (a) In each county that passes the question in Section
6 20, there is created a public body corporate and politic to
7 be known as the Taxpayer Action Board of County, or
8 County TAB.

9 (b) The membership of each TAB shall consist of all
10 natural persons who are residents of the county and have
11 contributed to the TAB the required annual membership fee in
12 the preceding 12 months.

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

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

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

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

25 (a) Each TAB shall:

26 (1) inform, educate, and advise taxpayers and
27 others on taxes and spending by all units of local
28 government in its county;

29 (2) represent and promote the interests of
30 taxpayers in local tax matters as individual taxpayers
31 and collectively in terms of local community needs and
32 broad public interest;

1 (3) take affirmative measures to encourage
2 membership by low and moderate income and minority
3 taxpayers, disseminate information and advice to these
4 taxpayers, and represent their interests in local tax
5 matters;

6 (4) inform, insofar as possible, taxpayers about
7 the TAB, including the procedures for obtaining
8 membership in the TAB; and

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

11 (b) Each TAB shall have, in addition to the rights and
12 powers provided by other provisions of this Act, the
13 following rights and powers:

14 (1) To represent the interests of of taxpayers in
15 local tax matters before units of State and local
16 government, legislative bodies, and other public forums,
17 at levy hearings and other proceedings of concern to
18 taxpayers.

19 (2) To initiate, intervene as a party, or otherwise
20 participate on behalf of taxpayers in any proceeding that
21 the TAB reasonably determines may affect the interests of
22 taxpayers.

23 (3) To represent the interest of taxpayers in the
24 resolution of complaints involving a unit of local
25 government.

26 (4) To negotiate on behalf of taxpayers with units
27 of local government.

28 (5) To represent the interests of corporations,
29 unincorporated businesses, and associations in tax
30 matters before units of local government, legislative
31 bodies, and other public forums where such representation
32 is in the interests of taxpayers.

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

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

3 (8) To make, amend, and repeal bylaws and rules for
4 the regulation of its affairs and the conduct of its
5 business; to adopt an official seal and alter it at
6 pleasure; to maintain an office; to sue and be sued in
7 its own name, plead and be impleaded; and to make and
8 execute contracts and other instruments necessary or
9 convenient to the exercise of the powers of the TAB.

10 (9) To employ any agents, employees, and special
11 advisors as it finds necessary and to fix their
12 compensation.

13 (10) To solicit and accept gifts, loans, or other
14 aid in order to support activities concerning the
15 interests of taxpayers; except that the TAB may not
16 accept gifts, loans, or other aid from any unit of local
17 government or from any official, employee, or agent or
18 member of the immediate family of an official, employee,
19 or agent of any unit of local government. Under this
20 paragraph, "aid" does not mean payment of membership
21 dues.

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

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

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

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

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

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

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

3 (3) Candidate's financial statements.

4 (4) Annual reports of the TAB.

5 Section 45. Board of directors. Each TAB shall be
6 managed by, and its powers, functions and duties shall be
7 exercised through, a board of directors to be composed as
8 follows:

9 (a) Election and terms of directors. The TAB districts
10 shall be divided into 2 groups for the purpose of
11 establishing terms for which the directors shall be elected
12 in each group. One group shall be comprised of the even
13 numbered county board districts. The odd numbered county
14 board Districts shall comprise the other group. A TAB board
15 of directors shall consist of at least 10 directors. In a
16 county with less than 10 districts, the total number of
17 directors shall be twice the number of election districts of
18 that county.

19 (1) The interim board, within 60 days after their
20 appointment, shall meet and publicly determine by lot
21 which group shall be the first group and which group
22 shall be the second. The board members or their
23 successors from the first group shall be elected for
24 successive terms of 2 years, 2 years, and 4 years; and
25 members or their successors from the second group shall
26 be elected for successive terms of 4 years, 2 years, and
27 2 years.

28 (2) The first election of directors of the board is
29 to be held no later than 8 months after the first meeting
30 of the interim board. Subsequent elections of directors
31 of the board shall be held every 2 years after the first
32 election. The board, however, may change the election
33 date for the second election to up to one month before or

1 after the second anniversary of the first election. All
2 subsequent elections shall occur every 2 years on the
3 anniversary of the second election. This cycle shall
4 begin anew in the year following each decennial
5 redistricting. If the election day falls on a weekend or
6 holiday, the election shall occur on the next business
7 day. In the year following a decennial redistricting all
8 directors terms shall end and elections for directors
9 from the redrawn county board districts shall be held.

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

12 (4) Within 45 days after the redistricted county
13 board districts are enacted, the board shall publicly
14 allocate terms by lot between the 2 groups of districts
15 as provided in paragraph (1) of this subsection. Board
16 members or their successors from the first group shall be
17 elected for successive terms of 2 years, 4 years, and 4
18 years; and members or their successors from the second
19 group shall be elected for successive terms of 4 years, 4
20 years, and 2 years. In the year following a decennial
21 redistricting all directors' terms shall end and
22 elections for directors from the redrawn county board
23 districts and for statewide directors shall be held.

24 (b) Qualifications. A director shall be a resident of
25 the district he or she represents and a member of the TAB.
26 No person who is an employee in any managerial or supervisory
27 capacity, director, officer, or agent or who is a member of
28 the immediate family of any employee, director, officer, or
29 agent of any unit of local government is eligible to be a
30 director. No director may hold any elective position in
31 federal, State, or local government.

32 (c) Employment of director's family member. No director
33 nor member of his or her immediate family shall, either
34 directly or indirectly, be employed for compensation as a

1 staff member or consultant of the TAB.

2 (d) Meetings. The board shall hold regular meetings at
3 least once every 3 months on the dates and at the places as
4 it may determine. Special meetings may be called by the
5 president or by a majority of the directors upon at least 7
6 days advance written notice. Unless otherwise provided in the
7 bylaws, a majority of the board of directors shall constitute
8 a quorum. In no event, however, shall a quorum consist of
9 less than one-third of the board of directors. The act of
10 the majority of the directors present at a meeting at which
11 a quorum is present shall be the act of the board of
12 directors unless the act of a greater number is required by
13 this Act or its bylaws. A summary of the minutes of every
14 board meeting shall be made available to each public library
15 in the State upon request and to individuals upon request.

16 (e) Expenses. A director may not receive any
17 compensation for his or her services, but shall be reimbursed
18 for necessary expenses, including travel expenses incurred in
19 the discharge of duties. The board shall establish standard
20 allowances for mileage, room, and meals and the purposes for
21 which allowances may be made. The board shall determine the
22 reasonableness and necessity for reimbursements. The board
23 shall include the schedule of standard allowances in the
24 annual report under paragraph (4) of subsection (c) of
25 Section 40.

26 (f) Bonding. Directors and employees eligible to
27 disburse funds shall be bonded. The costs of the bonds shall
28 be paid by the TAB.

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

31 (a) To establish the policy of the TAB regarding
32 appearances before units of local government, legislative
33 bodies, and other public authorities and regarding other

1 activities that the TAB has the authority to perform under
2 this Act.

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

6 (1) To implement the policy established by the
7 board under subsection (a).

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

9 (3) To supervise the offices, facilities, and work
10 of the employees of the TAB.

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

13 (5) To prepare and submit to the board annual and
14 quarterly statements of the financial and substantive
15 operations of the TAB and financial estimates for the
16 future operations of the TAB.

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

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

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

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

27 (d) To assure preparation of:

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

29 (2) Quarterly statements of the financial and
30 substantive operations of the TAB.

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

34 (4) A report at the close of the TAB's fiscal year.

1 This report shall be made available to each of the TAB's
2 members, as well as to members of the news media who
3 request it. Also, the report shall be made available to
4 each library in the county that requests it, and to
5 individuals upon request.

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

9 (f) To prepare membership applications and distribute
10 the applications in sufficient amounts or in machine copyable
11 form, upon request, to every library system in the county, as
12 defined in Section 2 of the Illinois Library System Act, for
13 distribution of the applications to all of the public
14 libraries throughout the county, so taxpayers may obtain the
15 applications to submit to the TAB, with annual dues, for
16 membership.

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

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

25 Section 55. Director financial statement. Every director
26 shall annually file with the board a current financial
27 statement which includes the information required under
28 subsection (c) of Section 85.

29 Section 60. Executive director; qualifications.

30 (a) The executive director hired by the board under
31 Section 50 shall have the same qualifications as a director
32 under Section 85, except that the executive director need not

1 be a resident of the TAB's county nor a member of the TAB.
2 The executive director may not be a candidate for director
3 while serving as executive director.

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

7 (c) The board shall require all applicants for the
8 position of executive director of a TAB to file a financial
9 statement that includes the information required under
10 subsection (c) of Section 85. The board shall require the
11 executive director to annually file a current statement.

12 Section 65. Annual membership meeting. All members
13 shall be eligible to attend, participate in, and vote in the
14 annual membership meeting called by the board under
15 subsection (c) of Section 50. The meeting shall be open to
16 the public and shall be held in different districts on a
17 rotating basis to the extent feasible. Each year a meeting
18 shall be held in each board district for the members of the
19 district. The members shall receive notice of that meeting
20 at least 14 days in advance.

21 Section 70. Mailing procedure.

22 (a) As used in this Section:

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

25 "County mailing" means any mailing by the county to 1000
26 or more citizens.

27 (b) To accomplish its powers and duties under Section 40
28 of this Act, the TAB, subject to the following limitations,
29 may prepare and furnish, to the county official responsible
30 for the county mailing in which the TAB seeks to have its
31 enclosure included, an enclosure to be included with that
32 county mailing.

1 (1) The county official furnished with an enclosure
2 shall include the enclosure within the county mailing
3 designated by the TAB.

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

7 (3) An enclosure furnished by a TAB under this
8 Section shall be limited to informing the reader of the
9 purpose, nature, and activities of the TAB as set forth
10 in this Act and stating that the reader may become a
11 member in the TAB, maintain membership in the TAB, and
12 contribute money directly to the TAB.

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

17 (1) the county official responsible for the mailing
18 in which the TAB enclosure was included shall first
19 furnish the TAB with an itemized accounting of the
20 additional cost; and

21 (2) the TAB shall not be required to reimburse the
22 county for postage costs if the weight of the TAB's
23 enclosure does not exceed 0.35 ounce avoirdupois. If the
24 TAB's enclosure exceeds that weight, then it shall only
25 be required to reimburse the county for postage cost over
26 and above what the county's postage cost would have been
27 had the enclosure weighed only 0.35 avoirdupois.

28 (d) The TAB shall seek authority from municipalities and
29 other local governments within its county to include
30 enclosures within mailings by the municipalities and local
31 governments of tax bills, utility bills, vehicle sticker
32 renewal notices, newsletters, and other mailings to 100 or
33 more citizens. This authority shall be sought under terms
34 similar to those in subsections (a), (b), and (c) of this

1 Section, but the TAB may accept this authority under any
2 terms it deems are in the best interest of the TAB.

3 Section 75. Prohibited acts.

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

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

9 (c) A person who violates this Section shall be fined
10 not more than \$1,000. Each violation shall constitute a
11 separate offense. A person who knowingly and wilfully
12 violates this Section may be imprisoned not more than 6
13 months.

14 Section 80. Interim board of directors.

15 (a) Within 90 days after this Act becomes effective in a
16 county an interim board of directors shall be appointed. The
17 Board shall consist of 9 members. The president of the county
18 board shall appoint the members. The appointees shall
19 reflect minority groups, low-income persons, labor
20 organizations, business, women, senior citizens, and various
21 geographical areas in the county. No interim director
22 appointed under this Section may hold an elective position
23 in, or be employed by, federal, State, or local government.

24 (b) The interim board appointed under this Section
25 shall:

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

28 (2) Inform taxpayers of the existence, nature, and
29 purposes of the TAB, and encourage them to join the TAB,
30 to participate in the TAB's activities, and to contribute
31 to the TAB.

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

1 (4) Employ such staff as the interim directors deem
2 necessary to carry out the purposes of this Section. The
3 interim board appointed under this Section shall follow
4 the procedures required under Section 60 if it hires an
5 executive director.

6 (5) Make all necessary preparations for the first
7 election of directors, oversee the election campaign, and
8 tally the votes under Section 85.

9 (6) Solicit funds for the TAB.

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

13 Section 85. Nominations and elections.

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

16 (1) Meet the qualifications for directors under
17 Section 45.

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

20 (3) Submit a statement of financial interests to
21 the board as required by subsection (c) and a statement
22 of personal background and positions as required by
23 subsection (d).

24 (4) Make the affirmation under paragraph (5) of
25 subsection (c).

26 (b) Nomination. A candidate for election to the board
27 shall circulate or have a member of the TAB circulate a
28 petition for nomination on the candidate's behalf not sooner
29 than 120 days preceding the election and shall file the
30 petition with the TAB not later than 60 days before the
31 election. The petition for nomination for a director shall
32 be signed by at least 10 members residing in his or her
33 district. The board shall verify the validity of the

1 signatures by comparing them to the signatures on the
2 membership applications and the current list of members
3 maintained by the board. Within 14 days after the petition
4 is due, the board shall determine whether a sufficient number
5 of signatures are valid. If the board determines a
6 sufficient number are valid, it shall certify the nomination
7 of the candidate.

8 (c) Statement of financial interests. With his or her
9 petition for nomination, a candidate for election to the
10 board shall submit to the board a statement of financial
11 interests upon a form provided by the board. The statement
12 of financial interests shall include the following
13 information:

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

17 (2) A list of all corporate directorships or other
18 offices, and of all fiduciary relationships, held in the
19 past 3 years by the candidate and by his or her immediate
20 family members.

21 (3) The name of any creditor to whom the candidate
22 or a member of the candidate's immediate family owes
23 \$10,000 or more.

24 (4) The name of any corporation in which the
25 candidate holds a security with a current market value of
26 \$5,000 or more.

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

30 (d) Statement of personal background and positions. A
31 candidate for election to the board shall submit to the board
32 with his or her petition for nomination, on a form to be
33 provided by the board, a statement concerning his or her
34 personal background and positions on issues relating to taxes

1 or the operations of the TAB. The statement shall contain an
2 affirmation, subject to penalty of perjury, that the
3 candidate meets the qualifications prescribed for directors
4 in subsection (b) of Section 45.

5 (e) Restrictions on, and reporting of, campaign
6 contributions and expenditures.

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

11 (2) Each candidate for election to the board shall
12 keep complete records of all contributions to his or her
13 campaign of \$25 or more for a period beginning one year
14 before the date of an election through the date of the
15 election and, at the board's request, shall make these
16 records available for inspection by the board.

17 (3) As a condition for receiving the benefits of
18 the board's mailing under subsection (f), a candidate for
19 election to the board shall agree in writing to incur no
20 more than \$1,500 in campaign expenditures from the time
21 her or she commences circulation of petitions for
22 nomination or from 4 months prior to the election,
23 whichever is earlier, through date of election.

24 (4) Each candidate for election to the board shall
25 keep complete records of his or her campaign expenditures
26 and, at the board's request, shall make the records
27 available for inspection by the board.

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

34 (6) No candidate for election to the board may use

1 any campaign contribution for any purpose except for
2 campaign expenditures. Any campaign contribution not
3 expended shall be donated no later than 90 days after the
4 election to the TAB or to any charitable organization at
5 the option of the candidate.

6 (f) Election procedures.

7 (1) Not sooner than 30 and not later than 10 days
8 before the date fixed for the election, the board shall
9 mail or distribute, to each member's address on file with
10 the TAB, an official ballot listing all candidates for
11 director from the member's district who satisfy the
12 requirements of subsection (a). With the ballot, the
13 board shall include each candidate's statement of
14 financial interests submitted under subsection (c). With
15 each ballot the board shall also include the statement by
16 each candidate of personal background and positions as
17 required under subsection (d), if the candidate has
18 agreed in writing to limit his or her campaign
19 expenditures under subsection (e).

20 (2) Each member may vote in the election by
21 returning his or her official ballot in person or by
22 first class mail, properly marked, to the ballot return
23 location designated by the TAB. Ballots returned to the
24 location designated by the TAB must be postmarked on or
25 before the date fixed for the election or must be
26 received at the ballot return location designated by the
27 TAB on or before the date fixed for the election.

28 (3) Voting shall be by secret ballot.

29 (4) The board shall tally votes with all reasonable
30 speed and shall inform the membership promptly of the
31 names of the candidates elected.

32 (5) Within 30 days after the election, the board
33 for each district shall certify the candidate elected to
34 the board if the candidate has the most votes in the

1 district and if he or she has complied with this Section.

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

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

11 (8) If a vacancy on the board occurs with more than
12 12 months remaining in the term, the board shall set a
13 date for a special election for the district for the
14 purpose of electing a director to serve out the term of
15 the vacant office and shall so notify every member in the
16 district. The election may be not less than 2 months nor
17 more than 4 months after the notification. An election
18 under this Section shall be conducted in the same manner
19 as other elections of directors. If less than 12 months
20 remains in the term of a director, the board may appoint
21 a member of the TAB who resides in the district where the
22 vacancy exists to be the director from that district.

23 (g) Election rules. The board may prescribe rules for
24 the conduct of elections and election campaigns consistent
25 with this Act.

26 Section 90. Public inspection of statements. Statements
27 filed with each TAB shall be available for public inspection
28 at the office of the TAB during reasonable hours of the day.
29 These records may be copied. The TAB may charge a reasonable
30 fee for the cost of the copies.

31 Section 95. Board officers.

32 (a) Election. The interim board of directors and the

1 board of directors, at the first regular meeting of each at
2 which a quorum is present, shall elect by a majority vote of
3 the directors present and voting a president, vice president,
4 secretary, and treasurer. The board may elect other officers
5 as it deems necessary.

6 (b) Term of office.

7 (1) Board officers shall begin serving immediately
8 upon their election and their term of office shall be one
9 year. After his or her term of office has expired, a
10 board officer shall continue to serve until his or her
11 successor is elected.

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

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

17 Section 100. Gifts; solicitations.

18 (a) No person may offer or give anything of monetary
19 value to any director, employee, or agent of a TAB if the
20 offer or gift influences or is intended to influence the
21 action or judgement of the director, employee, or agent of
22 the TAB in his or her capacity as director, employee, or
23 agent of the TAB.

24 (b) No director, employee, or agent of a TAB may solicit
25 or accept anything of monetary value from any person if the
26 solicitation or acceptance influences or is intended to
27 influence the official action or judgement of the director,
28 employee, or agent in his or her capacity as director,
29 employee, or agent of a TAB.

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

33 (d) The board shall remove from office any director

1 convicted under this Section and shall fill that office as
2 provided in Section 85.

3 Section 105. Endorsement of political party or candidate.
4 A TAB may not sponsor, endorse, or otherwise support, nor may
5 it oppose, any political party or the candidacy of any person
6 for elected public office.

7 Section 110. Expenses; liabilities. All expenses of a TAB
8 incurred in carrying out this Act shall be payable solely
9 from the funding as provided under this Act and no liability
10 may be incurred by a TAB beyond the extent to which moneys
11 have been provided under this Act. For the purposes of
12 meeting the necessary expenses of postage, preparing, and
13 printing the enclosure, initial organization, and operation
14 of a TAB for the period commencing on the date this Act
15 becomes effective in the county and continuing until the
16 first election of the board of directors under Section 85,
17 however, the TAB or any individual on behalf of the TAB may
18 borrow money as it requires. Money so borrowed by the TAB or
19 any individual shall subsequently be repaid with appropriate
20 interest over a reasonable period of time.

21 Section 115. Dissolution. A TAB may dissolve or be
22 dissolved under the General Not For Profit Corporation Act of
23 1986.

24 Section 117. Tax levy; pledge of credit; obligations. A
25 TAB shall have no right or authority to levy any tax or
26 special assessment, to pledge the credit of the State or any
27 other subdivision or municipal corporation of the State, or
28 to incur any obligation enforceable upon any property within
29 or without the county in which the TAB operates.

1 Section 120. Construction.

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

5 (b) Nothing in this Act shall be construed to (i) limit
6 the right of any person to initiate, intervene in, or
7 otherwise participate in any regulatory agency proceeding or
8 court action, (ii) require any petition or notification to a
9 TAB as a condition precedent to the exercise of any right, or
10 (iii) relieve any regulatory agency or court of any
11 obligation, or to affect its discretion, to permit
12 intervention or participation by any person in any proceeding
13 or action.

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

16 Section 999. Effective date. This Act takes effect upon
17 becoming law."