



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**

Introduced 2/4/2004, by J. Bradley Burzynski

**SYNOPSIS AS INTRODUCED:**

65 ILCS 5/5-2-12

from Ch. 24, par. 5-2-12

Amends the Illinois Municipal Code. Provides that in cities under the managerial form of municipal government with less than 50,000 population, the city council may, by ordinance, provide that the city council shall, after the next biennial general municipal election, consist of 6 instead of 4 councilmen. Sets forth procedures for electing the additional councilmen.

LRB093 17745 BDD 43425 b

1 AN ACT concerning municipalities.

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

4 Section 5. The Illinois Municipal Code is amended by  
5 changing Section 5-2-12 as follows:

6 (65 ILCS 5/5-2-12) (from Ch. 24, par. 5-2-12)

7 Sec. 5-2-12. Aldermen or trustees elected at large;  
8 vacancies; mayor or president to preside.

9 (a) If a city or village adopts the managerial form of  
10 municipal government but does not elect to choose aldermen or  
11 trustees from wards or districts, then the following provisions  
12 of this Section shall be applicable.

13 (b) The city council shall be elected at large. In cities  
14 of less than 50,000 population, the council shall consist of  
15 (i) the mayor and 4 councilmen or (ii) the mayor and 6  
16 councilmen if the size of the city council is increased under  
17 subsection (k). In cities of at least 50,000 but less than  
18 100,000 population, the council shall consist of the mayor and  
19 6 councilmen. In cities of at least 100,000 but not more than  
20 500,000 population, the council shall consist of the mayor and  
21 8 councilmen.

22 (c) Except in villages that were governed by Article 4  
23 immediately before the adoption of the managerial form of  
24 municipal government, the village board shall be elected at  
25 large and shall consist of a president and the number of  
26 trustees provided for in Section 5-2-15 or 5-2-17, whichever is  
27 applicable.

28 (d) The term of office of the mayor and councilmen shall be  
29 4 years, provided that in cities of less than 50,000, the 2  
30 councilmen receiving the lowest vote at the first election  
31 shall serve for 2 years only; in cities of at least 50,000 but  
32 less than 100,000, the 3 councilmen receiving the lowest vote

1 at the first election shall serve for 2 years only; and in  
2 cities of at least 100,000 but not more than 500,000, the 4  
3 councilmen receiving the lowest vote at the first election  
4 shall serve for 2 years only.

5 (e) The election of councilmen shall be every 2 years.  
6 After the first election, only 2 councilmen in cities of less  
7 than 50,000, 3 councilmen in cities of at least 50,000 but less  
8 than 100,000, or 4 councilmen in cities of at least 100,000 but  
9 not more than 500,000, shall be voted for by each elector at  
10 the primary elections, and only 2, 3, or 4 councilmen, as the  
11 case may be, shall be voted for by each elector at each  
12 biennial general municipal election, to serve for 4 years.

13 (f) In addition to the requirements of the general election  
14 law, the ballots shall be in the form set out in Section  
15 5-2-13. In cities with less than 50,000, the form of ballot  
16 prescribed in Section 5-2-13 shall be further modified by  
17 printing in the place relating to councilmen the words "Vote  
18 for Two", or "Vote for Three" if the size of the city council  
19 is increased under subsection (k), instead of the words "Vote  
20 for Four". In cities of at least 50,000 but less than 100,000,  
21 the ballot shall be modified in that place by printing the  
22 words "Vote for Three" instead of the words "Vote for Four".  
23 Sections 4-3-5 through 4-3-18, insofar as they may be  
24 applicable, shall govern the election of a mayor and councilmen  
25 under this Section.

26 (g) If a vacancy occurs in the office of mayor or  
27 councilman, the remaining members of the council, within 60  
28 days after the vacancy occurs, shall fill the vacancy by  
29 appointment of some person to the office for the balance of the  
30 unexpired term or until the vacancy is filled by interim  
31 election under Section 3.1-10-50, and until the successor is  
32 elected and has qualified.

33 (h) Except in villages that were governed by Article 4  
34 immediately before the adoption of the managerial form of  
35 municipal government, in villages that have adopted this  
36 Article 5 the term of office of the president, the number of

1 trustees to be elected, their terms of office, and the manner  
2 of filling vacancies shall be governed by Sections 5-2-14  
3 through 5-2-17.

4 (i) Any village that adopts the managerial form of  
5 municipal government under this Article 5 and that, immediately  
6 before that adoption, was governed by the provisions of Article  
7 4, shall continue to elect a mayor and 4 commissioners in  
8 accordance with Sections 4-3-5 through 4-3-18, insofar as they  
9 may be applicable, except that the 2 commissioners receiving  
10 the lowest vote among those elected at the first election after  
11 this Article 5 becomes effective in the village shall serve for  
12 2 years only. After that first election, the election of  
13 commissioners shall be every 2 years, and 2 commissioners shall  
14 be elected at each election to serve for 4 years.

15 (j) The mayor or president shall preside at all meetings of  
16 the council or board and on all ceremonial occasions.

17 (k) In cities of less than 50,000 population, the city  
18 council may, by ordinance, provide that the city council shall,  
19 after the next biennial general municipal election, consist of  
20 6 instead of 4 councilmen. If the size of the council is  
21 increased to 6 councilmen, then at the next biennial general  
22 municipal election, the electors shall vote for 4 instead of 2  
23 councilmen. Of the 4 councilmen elected at that next election,  
24 the one receiving the lowest vote at that election shall serve  
25 a 2-year term. Thereafter, all terms shall be for 4 years.

26 (Source: P.A. 87-1119.)