



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB5560

Introduced 2/15/2012, by Rep. Robert W. Pritchard

SYNOPSIS AS INTRODUCED:

35 ILCS 200/3-10	
605 ILCS 5/5-202	from Ch. 121, par. 5-202
605 ILCS 5/5-203	from Ch. 121, par. 5-203

Amends the Property Tax Code and the Illinois Highway Code. Provides that, for supervisors of assessments and county superintendents of highways in counties of less than 600,000 inhabitants who are appointed or elected on or after the effective date of the amendatory Act, during the first 6 months of supervisor's first term of office, he or she may be removed from office for any reason by a 2/3 vote of the county board. Provides that the term of office for a county superintendent of highways in a county of less than 600,000 inhabitants shall be 4 years. Provides that a county superintendent of highways in a county of less than 600,000 inhabitants may be removed from office before the expiration of his or her term by a vote of 2/3 of the members of the county board. Effective immediately.

LRB097 20155 HEP 65558 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning county officials.

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 3-10 as follows:

6 (35 ILCS 200/3-10)

7 Sec. 3-10. Dismissal of supervisor of assessments;
8 Vacancies. During the first 6 months of the supervisor's first
9 term of office, the ~~The~~ county board, by a vote of 2/3 of its
10 members, may dismiss a supervisor of assessments before the
11 expiration of his or her term for any reason. Thereafter, the
12 county board, by a vote of 2/3 of its members, may dismiss a
13 supervisor of assessments before the expiration of his or her
14 term for misfeasance, malfeasance or nonfeasance in the
15 performance of the duties of the office. Whenever the county
16 board dismisses a supervisor of assessments, it shall specify
17 its reasons in writing. The dismissed supervisor may, within 21
18 days after receipt of the statement of reasons for dismissal,
19 request a hearing before the county board. The county board
20 shall conduct a hearing within 30 days of a timely request, and
21 may reverse the dismissal by a vote of a majority of the
22 members present.

23 Vacancies shall be filed by appointment for a full term. In

1 the event of a vacancy, the county board may appoint an acting
2 supervisor of assessments, but an acting supervisor may serve
3 for no more than 60 days until a qualified person is appointed
4 to fill the remainder of the term.

5 (Source: P.A. 86-905; 88-455.)

6 Section 10. The Illinois Highway Code is amended by
7 changing Sections 5-202 and 5-203 as follows:

8 (605 ILCS 5/5-202) (from Ch. 121, par. 5-202)

9 Sec. 5-202. Term of office.

10 (a) Except as provided under subsection (b) of this Section
11 the term of office of each county superintendent of highways is
12 4 ~~6~~ years and until his successor is appointed and qualified.
13 He shall receive a salary fixed by the county board, and shall
14 also be allowed his actual traveling and other expenses
15 incurred in the discharge of the duties of his office, his
16 salary and expenses to be payable out of any general or highway
17 funds of the county. The county board shall provide all
18 equipment and personnel reasonably required by the county
19 superintendent of highways in the discharge of the duties of
20 his office.

21 (b) Each county superintendent of highways appointed in a
22 county of more than 600,000 inhabitants but less than 3,000,000
23 inhabitants shall serve at the pleasure of the county board
24 beginning with the first appointee to take office after the

1 expiration of the remaining term of the county superintendent
2 of highways in office on the effective date of this amendatory
3 Act of 1985.

4 (Source: P.A. 84-756.)

5 (605 ILCS 5/5-203) (from Ch. 121, par. 5-203)

6 Sec. 5-203. Removal from office. During the first 6 months
7 of the first term of office of a newly appointed county
8 superintendent of highways, the county board, by a vote of 2/3
9 of its members, may dismiss a county superintendent of highways
10 before the commencement of his or her term for any reason.
11 Thereafter, except as provided by subsection (b) of Section
12 5-202 of this Code, the county board, by a vote of 2/3 of its
13 members, may dismiss a county superintendent of highways before
14 the expiration of his or her term ~~Any county superintendent of~~
15 ~~highways may be removed from office by the county board for~~
16 incompetence, neglect of duty or malfeasance in office. In any
17 proceeding to remove a county superintendent of highways from
18 office a petition shall be filed with the county board naming
19 such officer as respondent and setting forth the particular
20 facts upon which the request for removal is based. The county
21 board shall set the matter for hearing not earlier than 5 days
22 after service upon the respondent, which service shall be the
23 same as in civil actions. The county board shall thereupon
24 proceed to a determination of the charges and shall enter an
25 order either dismissing the charge against the county

1 superintendent of highways or removing him from office.

2 The decision of the county board is subject to judicial
3 review under the Administrative Review Law as now or hereafter
4 amended.

5 (Source: P.A. 82-783.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.