



Rep. Thaddeus Jones

Filed: 4/20/2015

09900HB1401ham002

LRB099 00146 AWJ 34421 a

1 AMENDMENT TO HOUSE BILL 1401

2 AMENDMENT NO. _____. Amend House Bill 1401 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Municipal Code is amended by
5 changing Sections 3.1-10-65, 3.1-10-75, 3.1-15-40, and
6 3.1-20-22 as follows:

7 (65 ILCS 5/3.1-10-65) (from Ch. 24, par. 3.1-10-65)

8 Sec. 3.1-10-65. Referendum to reduce terms.

9 (a) Except as otherwise provided in subsection (c), in ~~In~~
10 any municipality of less than 500,000 inhabitants, a
11 proposition to reduce the terms of the elective officers of the
12 municipality from 4 years to 2 years may be submitted, within
13 the discretion of the corporate authorities, to the electors of
14 the municipality. The proposition shall also be submitted if a
15 petition requesting that action is signed by electors of the
16 municipality numbering not less than 10% of the total vote cast

1 at the last election for mayor or president of the municipality
2 and the petition is filed with the municipal clerk and
3 certified in accordance with the general election law. The
4 proposition shall be substantially in the following form:

5 Shall the term of the elective officers of (name of
6 municipality) be reduced from 4 years to 2 years?

7 (b) If a majority of the electors voting on the proposition
8 vote against it, the terms of the officers shall remain 4
9 years. If, however, a majority of those voting on the
10 proposition vote in favor of it, the officers elected at the
11 next regular election for officers in the municipality shall
12 hold their offices for a term of 2 years and until their
13 successors are elected and have qualified, except in the case
14 of trustees and aldermen. In the case of aldermen and trustees:

15 (i) at the first election of aldermen or trustees that occurs
16 in an odd numbered year following the vote to reduce the length
17 of terms, successors to aldermen or trustees whose terms expire
18 in that year shall be elected for a term of one year and until
19 their successors are elected and have qualified and (ii)
20 thereafter, one-half of the aldermen or trustees shall be
21 elected each year for terms of 2 years and until their
22 successors are elected and have qualified.

23 (c) Notwithstanding the provisions of subsections (a) and
24 (b), on or after 60 days after the effective date of this
25 amendatory Act of the 99th General Assembly, the corporate
26 authorities of each municipality with a population of less than

1 40,000 shall designate by ordinance or resolution one-half of
2 the aldermen or trustees to serve a 4-year term and one-half of
3 the aldermen or trustees to serve a 2-year term. Within 7 days
4 after the corporate authorities determine which terms shall be
5 for 4 years and which terms shall be for 2 years, but no later
6 than August 1, 2015, the corporate authorities shall report and
7 certify to the election authority the aldermen or trustees
8 whose terms are for 4 years or 2 years. The provisions of this
9 subsection shall not apply to a municipality that has adopted a
10 commission form of municipal government. The staggered terms
11 shall commence as follows:

12 (1) For a municipality that has elected aldermen or
13 trustees in 2013, at the 2017 election, one-half of the
14 aldermen or trustees shall be elected for a 4-year term,
15 and one-half of the aldermen or trustees shall be elected
16 for a 2-year term. Thereafter, all aldermen or trustees
17 shall be elected for a 4-year term.

18 (2) For a municipality that has elected aldermen or
19 trustees in 2015, at the 2019 election, one-half of the
20 aldermen or trustees shall be elected for a 4-year term,
21 and one-half of the aldermen or trustees shall be elected
22 for a 2-year term. Thereafter, all aldermen or trustees
23 shall be elected for a 4-year term.

24 Notwithstanding the provisions of subsections (a) and (b),
25 on and after the effective date of this amendatory Act of the
26 99th General Assembly, a municipality with a population of less

1 than 40,000 may not reduce the length of terms of its aldermen
2 or trustees from 4 years to 2 years by referendum or otherwise.

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

4 (65 ILCS 5/3.1-10-75) (from Ch. 24, par. 3.1-10-75)

5 Sec. 3.1-10-75. Referendum to lengthen terms.

6 (a) Except as otherwise provided in subsection (c), in ~~in~~
7 any municipality of less than 500,000 inhabitants that, under
8 Section 3.1-10-65, has voted to shorten the terms of elective
9 officers, a proposition to lengthen the terms of the elective
10 officers of the municipality from 2 years to 4 years may be
11 submitted, within the discretion of the corporate authorities,
12 to the electors of the municipality. The proposition shall be
13 certified by the municipal clerk to the appropriate election
14 authorities, who shall submit the proposition at an election in
15 accordance with the general election law. The proposition shall
16 also be submitted at an election if a petition requesting that
17 action is signed by electors of the municipality numbering not
18 less than 10% of the total vote cast at the last election for
19 mayor or president of the municipality and the petition is
20 filed with the municipal clerk. The proposition shall be
21 substantially in the following form:

22 Shall the term of the elective officers of (name of
23 municipality) be lengthened from 2 years to 4 years?

24 (b) If a majority of the electors voting on the proposition
25 vote against it, the terms of the officers shall remain 2

1 years. If, however, a majority of those voting on the
2 proposition vote in favor of it, the officers elected at the
3 next regular election for officers in the municipality shall
4 hold their offices for a term of 4 years and until their
5 successors are elected and have qualified, except in the case
6 of trustees and aldermen. In the case of aldermen and trustees:
7 (i) if the first election for aldermen or trustees, after
8 approval of the proposition, occurs in an even numbered year,
9 the aldermen or trustees elected in that even numbered year
10 shall serve for terms of 3 years and until their successors are
11 elected and have qualified, the terms for successors to those
12 elected at the first even numbered year election shall be 4
13 years and until successors are elected and have qualified, the
14 aldermen or trustees elected at the first odd numbered year
15 election next following the first even numbered year election
16 shall serve for terms of 4 years and until successors are
17 elected and have qualified, and successors elected after the
18 first odd numbered year shall also serve 4 year terms and until
19 their successors are elected and have qualified and (ii) if the
20 first election for aldermen or trustees, after approval of the
21 proposition, occurs in an odd numbered year, the aldermen or
22 trustees elected in that odd numbered year shall serve for
23 terms of 4 years and until their successors are elected and
24 have qualified, the terms for successors to those elected at
25 the first odd numbered year election shall be for 4 years and
26 until successors are elected and have qualified, the aldermen

1 or trustees elected at the first even numbered year election
2 next following the first odd numbered year election shall serve
3 for terms of one year and until their successors are elected
4 and have qualified, and the terms for successors to those
5 elected at the first odd numbered year election shall be 4
6 years and until their successors are elected and have
7 qualified.

8 (c) Notwithstanding the provisions of subsections (a) and
9 (b), on or after 60 days after the effective date of this
10 amendatory Act of the 99th General Assembly, the corporate
11 authorities of each municipality with a population of less than
12 40,000 shall designate by ordinance or resolution one-half of
13 the aldermen or trustees to serve a 4-year term and one-half of
14 the aldermen or trustees to serve a 2-year term. Within 7 days
15 after the corporate authorities determine which terms shall be
16 for 4 years and which terms shall be for 2 years, but no later
17 than August 1, 2015, the corporate authorities shall report and
18 certify to the election authority the aldermen or trustees
19 whose terms are for 4 years or 2 years. The provisions of this
20 subsection shall not apply to a municipality that has adopted a
21 commission form of municipal government. The staggered terms
22 shall commence as follows:

23 (1) For a municipality that has elected aldermen or
24 trustees in 2013, at the 2017 election, one-half of the
25 aldermen or trustees shall be elected for a 4-year term,
26 and one-half of the aldermen or trustees shall be elected

1 for a 2-year term. Thereafter, all aldermen or trustees
2 shall be elected for a 4-year term.

3 (2) For a municipality that has elected aldermen or
4 trustees in 2015, at the 2019 election, one-half of the
5 aldermen or trustees shall be elected for a 4-year term,
6 and one-half of the aldermen or trustees shall be elected
7 for a 2-year term. Thereafter, all aldermen or trustees
8 shall be elected for a 4-year term.

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

10 (65 ILCS 5/3.1-15-40) (from Ch. 24, par. 3.1-15-40)

11 Sec. 3.1-15-40. Staggered elections under minority plans.

12 On or after 60 days after the effective date of this
13 amendatory Act of the 99th General Assembly, the corporate
14 authorities of each municipality with a population of less than
15 40,000 shall designate by ordinance or resolution one-half of
16 the aldermen or trustees to serve a 4-year term and one-half of
17 the aldermen or trustees to serve a 2-year term. Within 7 days
18 after the corporate authorities determine which terms shall be
19 for 4 years and which terms shall be for 2 years, but no later
20 than August 1, 2015, the corporate authorities shall report and
21 certify to the election authority the aldermen or trustees
22 whose terms are for 4 years or 2 years. The provisions of this
23 subsection shall not apply to a municipality that has adopted a
24 commission form of municipal government. The staggered terms
25 shall commence as follows:

1 (1) For a municipality that has elected aldermen or
2 trustees in 2013, at the 2017 election, one-half of the
3 aldermen or trustees shall be elected for a 4-year term,
4 and one-half of the aldermen or trustees shall be elected
5 for a 2-year term. Thereafter, all aldermen or trustees
6 shall be elected for a 4-year term.

7 (2) For a municipality that has elected aldermen or
8 trustees in 2015, at the 2019 election, one-half of the
9 aldermen or trustees shall be elected for a 4-year term,
10 and one-half of the aldermen or trustees shall be elected
11 for a 2-year term. Thereafter, all aldermen or trustees
12 shall be elected for a 4-year term.

13 In all other cities that adopt or have adopted the minority
14 representation plan for the election of aldermen and have not
15 already staggered the terms of their aldermen, the city council
16 may provide by ordinance that at any ensuing general municipal
17 election for city officers the aldermen in every alternate
18 district shall be elected for one term of 2 years and, at the
19 expiration of that term of 2 years, for regular terms of 4
20 years. This Section does not prohibit a city from voting in
21 favor of a 2 year term for city officers as provided in Section
22 3.1-10-65. The provisions of the general election law shall
23 govern elections under this Section.

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

25 (65 ILCS 5/3.1-20-22) (from Ch. 24, par. 3.1-20-22)

1 Sec. 3.1-20-22. Aldermen; staggered terms.

2 (a) Except as otherwise provided in subsection (b), in ~~in~~
3 any city of less than 100,000 inhabitants, a proposition to
4 stagger the terms of aldermen, with as nearly as possible
5 one-half of the aldermen elected every 2 years, shall be
6 certified by the city clerk to the proper election authority,
7 who shall submit the proposition at an election in accordance
8 with the general election law, if a petition requesting that
9 action is signed by electors of the city numbering at least 10%
10 of the total vote cast at the last election for mayor of the
11 city and is filed with the city clerk.

12 The ballot shall have printed on it, but not as a part of
13 the proposition submitted, the following information for
14 voters: one alderman elected from each even-numbered ward shall
15 serve a term of 2 years; one alderman elected from each
16 odd-numbered ward shall serve a term of 4 years.

17 The proposition shall be substantially in the following
18 form:

19 Shall (name of city) adopt a system of staggered terms
20 for aldermen?

21 If a majority of those voting on the proposition vote in
22 favor of it, then at the next regular election for aldermen one
23 alderman shall be elected from each even-numbered ward for a
24 term of 2 years and one alderman shall be elected from each
25 odd-numbered ward for a term of 4 years. Thereafter, their
26 successors shall be elected for terms of 4 years.

1 (b) On or after 60 days after the effective date of this
2 amendatory Act of the 99th General Assembly, the corporate
3 authorities of each municipality with a population of less than
4 40,000 shall designate by ordinance or resolution one-half of
5 the aldermen or trustees to serve a 4-year term and one-half of
6 the aldermen or trustees to serve a 2-year term. Within 7 days
7 after the corporate authorities determine which terms shall be
8 for 4 years and which terms shall be for 2 years, but no later
9 than August 1, 2015, the corporate authorities shall report and
10 certify to the election authority the aldermen or trustees
11 whose terms are for 4 years or 2 years. The provisions of this
12 subsection shall not apply to a municipality that has adopted a
13 commission form of municipal government. The staggered terms
14 shall commence as follows:

15 (1) For a municipality that has elected aldermen or
16 trustees in 2013, at the 2017 election, one-half of the
17 aldermen or trustees shall be elected for a 4-year term,
18 and one-half of the aldermen or trustees shall be elected
19 for a 2-year term. Thereafter, all aldermen or trustees
20 shall be elected for a 4-year term.

21 (2) For a municipality that has elected aldermen or
22 trustees in 2015, at the 2019 election, one-half of the
23 aldermen or trustees shall be elected for a 4-year term,
24 and one-half of the aldermen or trustees shall be elected
25 for a 2-year term. Thereafter, all aldermen or trustees
26 shall be elected for a 4-year term.

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

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.".