



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB4262

by Rep. Jack D. Franks

#### SYNOPSIS AS INTRODUCED:

35 ILCS 200/3-40	
35 ILCS 200/4-20	
55 ILCS 5/3-10007	from Ch. 34, par. 3-10007
55 ILCS 5/4-6001	from Ch. 34, par. 4-6001
55 ILCS 5/4-6002	from Ch. 34, par. 4-6002
55 ILCS 5/4-6003	from Ch. 34, par. 4-6003
55 ILCS 5/4-8002	from Ch. 34, par. 4-8002
705 ILCS 105/27.3	from Ch. 25, par. 27.3

Amends the Property Tax Code, the Counties Code, and the Clerks of the Courts Act. Provides that assessors, county treasurers, coroners, sheriffs, recorders of deeds, clerks of the circuit court, and other county officers whose terms of office begin on or after the effective date of the amendatory Act shall not receive a stipend. Effective immediately.

LRB099 13306 HLH 37223 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

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 Sections 3-40 and 4-20 as follows:

6 (35 ILCS 200/3-40)

7 Sec. 3-40. Compensation of supervisors of assessments.

8 (a) A supervisor of assessments shall receive annual  
9 compensation in an amount fixed by the county board subject to  
10 the following minimum amounts:

11 In counties with less than 14,000 inhabitants, not less  
12 than \$7,500;

13 In counties with 14,000 or more but less than 30,000  
14 inhabitants, not less than \$8,000;

15 In counties with 30,000 or more but less than 60,000  
16 inhabitants, not less than \$9,000;

17 In counties with 60,000 or more but less than 100,000  
18 inhabitants, not less than \$10,000;

19 In counties with 100,000 or more but less than 200,000  
20 inhabitants, not less than \$11,500;

21 In counties with 200,000 or more but less than 300,000  
22 inhabitants, not less than \$13,000;

23 In counties with 300,000 or more but less than

1           1,000,000 inhabitants, not less than \$15,000.

2           For purposes of this subsection, the number of inhabitants  
3           shall be determined by the latest Federal decennial or special  
4           census of the county.

5           (b) Elected supervisors of assessments who began a term of  
6           office before December 1, 1990 shall be compensated at the rate  
7           of their base salary. "Base salary" is the compensation paid  
8           for their position before July 1, 1989.

9           (c) Elected supervisors of assessments beginning a term of  
10          office on or after December 1, 1990 shall, beginning December  
11          1, 1993, receive their base salary plus at least 12% of base  
12          salary.

13          Any supervisor of assessments who has been presented a  
14          Certified Assessing Evaluator Certificate by the International  
15          Association of Assessing Officers shall receive an additional  
16          compensation of \$500 per year to be paid out of funds  
17          appropriated to the Department from the Personal Property Tax  
18          Replacement Fund. No additional compensation shall be paid to  
19          supervisors of assessments whose terms of office begin on or  
20          after the effective date of this amendatory Act of the 99th  
21          General Assembly.

22          The salary set by the county board shall be paid in equal  
23          monthly installments out of the treasury of the county in which  
24          he or she is appointed or elected. If the Department has  
25          determined that the total assessed value of property in a  
26          county, as equalized by the supervisor of assessments under

1 Section 9-210, is between 31 1/3% and 35 1/3% of the total fair  
2 cash value of property in the county, subject to appropriation,  
3 the Department shall reimburse the county monthly from the  
4 Personal Property Tax Replacement Fund 50% of the amount of  
5 salary the county paid to the officer for the preceding month.

6 The county board shall provide necessary office space for  
7 the officer and pay all necessary expenses of the office out of  
8 the county treasury.

9 Each supervisor of assessments may, with the advice and  
10 consent of the county board, appoint necessary deputies and  
11 clerks, their compensation to be fixed by the county board and  
12 paid by the county.

13 (Source: P.A. 97-72, eff. 7-1-11.)

14 (35 ILCS 200/4-20)

15 Sec. 4-20. Additional compensation based on performance.  
16 Any assessor in counties with less than 3,000,000 but more than  
17 50,000 inhabitants each year may petition the Department to  
18 receive additional compensation based on performance. To  
19 receive additional compensation, the official's assessment  
20 jurisdiction must meet the following criteria:

21 (1) the median level of assessment must be no more than  
22 35 1/3% and no less than 31 1/3% of fair cash value of  
23 property in his or her assessment jurisdiction; and

24 (2) the coefficient of dispersion must not be greater  
25 than 15%.

1 For purposes of this Section, "coefficient of dispersion" means  
2 the average deviation of all assessments from the median level.  
3 For purposes of this Section, the number of inhabitants shall  
4 be determined by the latest federal decennial census. When the  
5 most recent census shows an increase in inhabitants to over  
6 50,000 or a decrease to 50,000 or fewer, then the assessment  
7 year used to compute the coefficient of dispersion and the most  
8 recent year of the 3-year average level of assessments is the  
9 year that determines qualification for additional  
10 compensation. The Department will promulgate rules and  
11 regulations to determine whether an assessor meets these  
12 criteria.

13 Any assessor in a county of 50,000 or fewer inhabitants may  
14 petition the Department for consideration to receive  
15 additional compensation each year based on performance. In  
16 order to receive the additional compensation, the assessments  
17 in the official's assessment jurisdiction must meet the  
18 following criteria: (i) the median level of assessments must be  
19 no more than 35 1/3% and no less than 31 1/3% of fair cash value  
20 of property in his or her assessment jurisdiction; and (ii) the  
21 coefficient of dispersion must not be greater than 40% in 1994,  
22 38% in 1995, 36% in 1996, 34% in 1997, 32% in 1998, and 30% in  
23 1999 and every year thereafter.

24 Real estate transfer declarations used by the Department in  
25 annual sales-assessment ratio studies will be used to evaluate  
26 applications for additional compensation. The Department will

1 audit other property to determine if the sales-assessment ratio  
2 study data is representative of the assessment jurisdiction. If  
3 the ratio study is found not representative, appraisals and  
4 other information may be utilized. If the ratio study is  
5 representative, upon certification by the Department, the  
6 assessor shall receive additional compensation of \$3,000 for  
7 that year, to be paid out of funds appropriated to the  
8 Department from the Personal Property Tax Replacement Fund.

9 No additional compensation shall be paid to assessors whose  
10 terms of office begin on or after the effective date of this  
11 amendatory Act of the 99th General Assembly.

12 As used in this Section, "assessor" means any township or  
13 multi-township assessor, or supervisor of assessments.

14 (Source: P.A. 97-72, eff. 7-1-11.)

15 Section 10. The Counties Code is amended by changing  
16 Sections 3-10007, 4-6001, 4-6002, 4-6003, and 4-8002 as  
17 follows:

18 (55 ILCS 5/3-10007) (from Ch. 34, par. 3-10007)

19 Sec. 3-10007. Annual stipend. In addition to all other  
20 compensation provided by law, every elected county treasurer,  
21 for additional duties mandated by State law, shall receive an  
22 annual stipend of (i) \$5,000 if his or her term begins before  
23 December 1, 1998, (ii) \$5,500 after December 1, 1998 and \$6,500  
24 after December 1, 1999 if his or her term begins on or after

1 December 1, 1998 but before December 1, 2000, and (iii) \$6,500  
2 if his or her term begins December 1, 2000 or thereafter, to be  
3 annually appropriated from the Personal Property Tax  
4 Replacement Fund by the General Assembly to the Department of  
5 Revenue which shall distribute the awards in annual lump sum  
6 payments to every elected county treasurer. This annual stipend  
7 shall not affect any other compensation provided by law to be  
8 paid to elected county treasurers. No county board may reduce  
9 or otherwise impair the compensation payable from county funds  
10 to an elected county treasurer if such reduction or impairment  
11 is the result of his receiving an annual stipend under this  
12 Section. No stipend shall be paid to county treasurers whose  
13 terms of office begin on or after the effective date of this  
14 amendatory Act of the 99th General Assembly.

15 (Source: P.A. 97-72, eff. 7-1-11.)

16 (55 ILCS 5/4-6001) (from Ch. 34, par. 4-6001)

17 Sec. 4-6001. Officers in counties of less than 2,000,000.

18 (a) In all counties of less than 2,000,000 inhabitants, the  
19 compensation of Coroners, County Treasurers, County Clerks,  
20 Recorders and Auditors shall be determined under this Section.  
21 The County Board in those counties shall fix the amount of the  
22 necessary clerk hire, stationery, fuel and other expenses of  
23 those officers. The compensation of those officers shall be  
24 separate from the necessary clerk hire, stationery, fuel and  
25 other expenses, and such compensation (except for coroners in

1 those counties with less than 2,000,000 population in which the  
2 coroner's compensation is set in accordance with Section  
3 4-6002) shall be fixed within the following limits:

4 To each such officer in counties containing less than  
5 14,000 inhabitants, not less than \$13,500 per annum.

6 To each such officer in counties containing 14,000 or more  
7 inhabitants, but less than 30,000 inhabitants, not less than  
8 \$14,500 per annum.

9 To each such officer in counties containing 30,000 or more  
10 inhabitants but less than 60,000 inhabitants, not less than  
11 \$15,000 per annum.

12 To each such officer in counties containing 60,000 or more  
13 inhabitants but less than 100,000 inhabitants, not less than  
14 \$15,000 per annum.

15 To each such officer in counties containing 100,000 or more  
16 inhabitants but less than 200,000 inhabitants, not less than  
17 \$16,500 per annum.

18 To each such officer in counties containing 200,000 or more  
19 inhabitants but less than 300,000 inhabitants, not less than  
20 \$18,000 per annum.

21 To each such officer in counties containing 300,000 or more  
22 inhabitants but less than 2,000,000 inhabitants, not less than  
23 \$20,000 per annum.

24 (b) Those officers beginning a term of office before  
25 December 1, 1990 shall be compensated at the rate of their base  
26 salary. "Base salary" is the compensation paid for each of



1 those offices, respectively, before July 1, 1989.

2 (c) Those officers beginning a term of office on or after  
3 December 1, 1990 shall be compensated as follows:

4 (1) Beginning December 1, 1990, base salary plus at  
5 least 3% of base salary.

6 (2) Beginning December 1, 1991, base salary plus at  
7 least 6% of base salary.

8 (3) Beginning December 1, 1992, base salary plus at  
9 least 9% of base salary.

10 (4) Beginning December 1, 1993, base salary plus at  
11 least 12% of base salary.

12 (d) In addition to but separate and apart from the  
13 compensation provided in this Section, the county clerk of each  
14 county, the recorder of each county, and the chief clerk of  
15 each county board of election commissioners shall receive an  
16 award as follows:

17 (1) \$4,500 per year after January 1, 1998;

18 (2) \$5,500 per year after January 1, 1999; and

19 (3) \$6,500 per year after January 1, 2000.

20 The total amount required for such awards each year shall be  
21 appropriated by the General Assembly to the State Board of  
22 Elections which shall distribute the awards in annual lump sum  
23 payments to the several county clerks, recorders, and chief  
24 election clerks. Beginning December 1, 1990, this annual award,  
25 and any other award or stipend paid out of State funds to  
26 county officers, shall not affect any other compensation

1 provided by law to be paid to county officers. No stipend shall  
2 be paid to county officers whose terms of office begin on or  
3 after the effective date of this amendatory Act of the 99th  
4 General Assembly.

5 (e) Beginning December 1, 1990, no county board may reduce  
6 or otherwise impair the compensation payable from county funds  
7 to a county officer if the reduction or impairment is the  
8 result of the county officer receiving an award or stipend  
9 payable from State funds.

10 (f) The compensation, necessary clerk hire, stationery,  
11 fuel and other expenses of the county auditor, as fixed by the  
12 county board, shall be paid by the county.

13 (g) The population of all counties for the purpose of  
14 fixing compensation, as herein provided, shall be based upon  
15 the last Federal census immediately previous to the election of  
16 the officer in question in each county.

17 (h) With respect to an auditor who takes office on or after  
18 the effective date of this amendatory Act of the 95th General  
19 Assembly, the auditor shall receive an annual stipend of \$6,500  
20 per year. The General Assembly shall appropriate the total  
21 amount required for the stipend each year from the Personal  
22 Property Tax Replacement Fund to the Department of Revenue, and  
23 the Department of Revenue shall distribute the awards in an  
24 annual lump sum payment to each county auditor. The stipend  
25 shall be in addition to, but separate and apart from, the  
26 compensation provided in this Section. No stipend shall be paid

1 to auditors whose terms of office begin on or after the  
2 effective date of this amendatory Act of the 99th General  
3 Assembly. No county board may reduce or otherwise impair the  
4 compensation payable from county funds to the auditor if the  
5 reduction or impairment is the result of the auditor receiving  
6 an award or stipend pursuant to this subsection.

7 (Source: P.A. 97-72, eff. 7-1-11.)

8 (55 ILCS 5/4-6002) (from Ch. 34, par. 4-6002)

9 Sec. 4-6002. Coroners in counties of less than 2,000,000.

10 (a) The County Board, in all counties of less than  
11 2,000,000 inhabitants, shall fix the compensation of Coroners  
12 within the limitations fixed by this Division, and shall  
13 appropriate for their necessary clerk hire, stationery, fuel,  
14 supplies, and other expenses. The compensation of the Coroner  
15 shall be fixed separately from his necessary clerk hire,  
16 stationery, fuel and other expenses, and such compensation  
17 shall be fixed within the following limits:

18 To each Coroner in counties containing less than 5,000  
19 inhabitants, not less than \$4,500 per annum.

20 To each Coroner in counties containing 5,000 or more  
21 inhabitants but less than 14,000 inhabitants, not less than  
22 \$6,000 per annum.

23 To each Coroner in counties containing 14,000 or more  
24 inhabitants, but less than 30,000 inhabitants, not less than  
25 \$9,000 per annum.

1 To each Coroner in counties containing 30,000 or more  
2 inhabitants, but less than 60,000 inhabitants, not less than  
3 \$14,000 per annum.

4 To each Coroner in counties containing 60,000 or more  
5 inhabitants, but less than 100,000 inhabitants, not less than  
6 \$15,000 per annum.

7 To each Coroner in counties containing 100,000 or more  
8 inhabitants, but less than 200,000 inhabitants, not less than  
9 \$16,500 per annum.

10 To each Coroner in counties containing 200,000 or more  
11 inhabitants, but less than 300,000 inhabitants, not less than  
12 \$18,000 per annum.

13 To each Coroner in counties containing 300,000 or more  
14 inhabitants, but less than 2,000,000 inhabitants, not less than  
15 \$20,000 per annum.

16 The population of all counties for the purpose of fixing  
17 compensation, as herein provided, shall be based upon the last  
18 Federal census immediately previous to the election of the  
19 Coroner in question in each county. This Section does not apply  
20 to a county which has abolished the elective office of coroner.

21 (b) Those coroners beginning a term of office on or after  
22 December 1, 1990 shall be compensated as follows:

23 (1) Beginning December 1, 1990, base salary plus at  
24 least 3% of base salary.

25 (2) Beginning December 1, 1991, base salary plus at  
26 least 6% of base salary.

1           (3) Beginning December 1, 1992, base salary plus at  
2           least 9% of base salary.

3           (4) Beginning December 1, 1993, base salary plus at  
4           least 12% of base salary.

5           "Base salary", as used in this subsection (b), means the  
6           salary in effect before July 1, 1989.

7           (c) In addition to, but separate and apart from, the  
8           compensation provided in this Section, subject to  
9           appropriation, the coroner of each county shall receive an  
10          annual stipend of \$6,500 to be paid by the Illinois Department  
11          of Revenue out of the Personal Property Tax Replacement Fund if  
12          his or her term begins on or after December 1, 2000. No stipend  
13          shall be paid to coroners whose terms of office begin on or  
14          after the effective date of this amendatory Act of the 99th  
15          General Assembly.

16          (Source: P.A. 97-72, eff. 7-1-11.)

17           (55 ILCS 5/4-6003) (from Ch. 34, par. 4-6003)

18          Sec. 4-6003. Compensation of sheriffs for certain expenses  
19          in counties of less than 2,000,000.

20          (a) The County Board, in all counties of less than  
21          2,000,000 inhabitants, shall fix the compensation of sheriffs,  
22          with the amount of their necessary clerk hire, stationery, fuel  
23          and other expenses. The county shall supply the sheriff with  
24          all necessary uniforms, guns and ammunition. The compensation  
25          of each such officer shall be fixed separately from his

1 necessary clerk hire, stationery, fuel and other expenses.  
2 Beginning immediately, no county with a population under  
3 2,000,000 may reduce the rate of compensation of its sheriff  
4 below the rate of compensation that it was actually paying to  
5 its sheriff on January 1, 2002 or the effective date of this  
6 amendatory Act of the 92nd General Assembly, whichever is  
7 greater.

8 (b) In addition to the requirement of subsection (a), the  
9 rate of compensation payable to the sheriff by the county shall  
10 not be less than the following:

11 To each such sheriff in counties containing less than  
12 10,000 inhabitants, not less than \$27,000 per annum.

13 To each such sheriff in counties containing 10,000 or more  
14 inhabitants but less than 20,000 inhabitants, not less than  
15 \$31,000 per annum.

16 To each such sheriff in counties containing 20,000 or more  
17 inhabitants but less than 30,000 inhabitants, not less than  
18 \$34,000 per annum.

19 To each such sheriff in counties containing 30,000 or more  
20 inhabitants but less than 60,000 inhabitants, not less than  
21 \$37,000 per annum.

22 To each such sheriff in counties containing 60,000 or more  
23 inhabitants but less than 100,000 inhabitants, not less than  
24 \$40,000 per annum.

25 To each such sheriff in counties containing 100,000 or more  
26 inhabitants but less than 2,000,000 inhabitants, not less than

1 \$43,000 per annum.

2 The population of each county for the purpose of fixing  
3 compensation as herein provided, shall be based upon the last  
4 federal census immediately previous to the election of the  
5 sheriff in question in such county.

6 (c) (Blank).

7 (d) In addition to the salary provided for in subsections  
8 (a), (b), and (c), beginning December 1, 1998, subject to  
9 appropriation, each sheriff, for his or her additional duties  
10 imposed by other statutes or laws, shall receive an annual  
11 stipend to be paid by the Illinois Department of Revenue out of  
12 the Personal Property Tax Replacement Fund in the amount of  
13 \$6,500. No stipend shall be paid to any sheriff whose term of  
14 office begins on or after the effective date of this amendatory  
15 Act of the 99th General Assembly.

16 (e) No county board may reduce or otherwise impair the  
17 compensation payable from county funds to a sheriff if the  
18 reduction or impairment is the result of the sheriff receiving  
19 an award or stipend payable from State funds.

20 (Source: P.A. 97-72, eff. 7-1-11.)

21 (55 ILCS 5/4-8002) (from Ch. 34, par. 4-8002)

22 Sec. 4-8002. Additional compensation of sheriff and  
23 recorder.

24 (a) In addition to any salary otherwise provided by law,  
25 beginning December 1, 1998, subject to appropriation, the

1 sheriff of Cook County for his or her additional duties imposed  
2 by other statutes or laws shall receive an annual stipend to be  
3 paid by the Illinois Department of Revenue out of the Personal  
4 Property Tax Replacement Fund in the amount of \$6,500. However,  
5 no such stipend shall be paid to any sheriff of Cook County  
6 whose term of office begins on or after the effective date of  
7 this amendatory Act of the 99th General Assembly. The county  
8 board shall not reduce or otherwise impair the compensation  
9 payable from county funds to the sheriff if the reduction or  
10 impairment is the result of the sheriff receiving a stipend  
11 payable from State funds.

12 (b) In addition to any salary otherwise provided by law,  
13 beginning December 1, 2000, subject to appropriation, the  
14 recorder of deeds of Cook County for his or her additional  
15 duties imposed by law shall receive an annual stipend to be  
16 paid by the State in an amount equal to the stipend paid to  
17 each recorder in other counties under subsection (d) of Section  
18 4-6001 of this Code. However, no such stipend shall be paid to  
19 any recorder of deeds of Cook County whose term of office  
20 begins on or after the effective date of this amendatory Act of  
21 the 99th General Assembly. The county board may not reduce or  
22 otherwise impair the compensation payable from county funds to  
23 the recorder of deeds if the reduction or impairment is the  
24 result of the recorder of deeds receiving a stipend payable  
25 from State funds.

26 (Source: P.A. 97-72, eff. 7-1-11; 97-619, eff. 11-14-11.)



1 Section 15. The Clerks of Courts Act is amended by changing  
2 Section 27.3 as follows:

3 (705 ILCS 105/27.3) (from Ch. 25, par. 27.3)

4 Sec. 27.3. Compensation.

5 (a) The county board shall provide the compensation of  
6 Clerks of the Circuit Court, and the amount necessary for clerk  
7 hire, stationery, fuel and other expenses. Beginning December  
8 1, 1989, the compensation per annum for Clerks of the Circuit  
9 Court shall be as follows:

10 In counties where the population is:

11	Less than 14,000 .....	at least \$13,500
12	14,001-30,000 .....	at least \$14,500
13	30,001-60,000 .....	at least \$15,000
14	60,001-100,000 .....	at least \$15,000
15	100,001-200,000 .....	at least \$16,500
16	200,001-300,000 .....	at least \$18,000
17	300,001- 3,000,000 .....	at least \$20,000
18	Over 3,000,000 .....	at least \$55,000

19 (b) In counties in which the population is 3,000,000 or  
20 less, "base salary" is the compensation paid for each Clerk of  
21 the Circuit Court, respectively, before July 1, 1989.

22 (c) The Clerks of the Circuit Court, in counties in which  
23 the population is 3,000,000 or less, shall be compensated as  
24 follows:

1           (1) Beginning December 1, 1989, base salary plus at  
2           least 3% of base salary.

3           (2) Beginning December 1, 1990, base salary plus at  
4           least 6% of base salary.

5           (3) Beginning December 1, 1991, base salary plus at  
6           least 9% of base salary.

7           (4) Beginning December 1, 1992, base salary plus at  
8           least 12% of base salary.

9           (d) In addition to the compensation provided by the county  
10          board, each Clerk of the Circuit Court shall receive an award  
11          from the State for the additional duties imposed by Sections  
12          5-9-1 and 5-9-1.2 of the Unified Code of Corrections, Section  
13          10 of the Violent Crime Victims Assistance Act, Section 16-104a  
14          of the Illinois Vehicle Code, and other laws, in the following  
15          amount:

16           (1) \$3,500 per year before January 1, 1997.

17           (2) \$4,500 per year beginning January 1, 1997.

18           (3) \$5,500 per year beginning January 1, 1998.

19           (4) \$6,500 per year beginning January 1, 1999.

20          The total amount required for such awards shall be appropriated  
21          each year by the General Assembly to the Supreme Court, which  
22          shall distribute such awards in annual lump sum payments to the  
23          Clerks of the Circuit Court in all counties. This annual award,  
24          and any other award or stipend paid out of State funds to the  
25          Clerks of the Circuit Court, shall not affect any other  
26          compensation provided by law to be paid to Clerks of the

1 Circuit Court. No award or stipend authorized under this  
2 subsection (d) shall be paid to any recorder of deeds of Cook  
3 County whose term of office begins on or after the effective  
4 date of this amendatory Act of the 99th General Assembly.

5 (e) (Blank).

6 (f) No county board may reduce or otherwise impair the  
7 compensation payable from county funds to a Clerk of the  
8 Circuit Court if the reduction or impairment is the result of  
9 the Clerk of the Circuit Court receiving an award or stipend  
10 payable from State funds.

11 (Source: P.A. 98-24, eff. 6-19-13.)

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law.