

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 Township Code is amended by changing Section
5 60-5 as follows:

6 (60 ILCS 1/60-5)

7 Sec. 60-5. Filling vacancies in township offices.

8 (a) Except for the office of township or multi-township
9 assessor, if a township fails to elect the number of township
10 officers that the township is entitled to by law, or a person
11 elected to any township office fails to qualify, or a vacancy
12 in any township office occurs for any other reason including
13 without limitation the resignation of an officer or the
14 conviction in any court of the State of Illinois or of the
15 United States of an officer for an infamous crime, then the
16 township board shall fill the vacancy by appointment, by
17 warrant under their signatures and seals, and the persons so
18 appointed shall hold their respective offices for the remainder
19 of the unexpired terms. All persons so appointed shall have the
20 same powers and duties and are subject to the same penalties as
21 if they had been elected or appointed for a full term of
22 office. A vacancy in the office of township or multi-township
23 assessor shall be filled only as provided in the Property Tax

1 Code.

2 For purposes of this subsection (a), a conviction for an
3 offense that disqualifies an officer from holding that office
4 occurs on the date of (i) the entry of a plea of guilty in
5 court, (ii) the return of a guilty verdict, or (iii) in the
6 case of a trial by the court, the entry of a finding of guilt.

7 (b) If a vacancy on the township board is not filled within
8 60 days, then a special township meeting must be called under
9 Section 35-5 to select a replacement under Section 35-35.

10 (b-5) If the vacancy being filled under subsection (a) or
11 (b) is for the township supervisor, a trustee shall be
12 appointed as deputy supervisor to perform the ministerial
13 functions of that office until the vacancy is filled under
14 subsections (a) or (b). Once the vacancy is filled under
15 subsections (a) or (b), the deputy supervisor's appointment is
16 terminated.

17 (c) Except as otherwise provided in this Section, whenever
18 any township or multi-township office becomes vacant or
19 temporarily vacant ~~due to a physical incapacity of a township~~
20 ~~officer~~, the township or multi-township board may temporarily
21 appoint a deputy to perform the ministerial functions of the
22 vacant office until the vacancy has been filled as provided in
23 subsection (a) or (b). If the office is temporarily vacant, the
24 temporarily appointed deputy may perform the ministerial
25 functions of the vacant office until the ~~physically~~
26 ~~incapacitated~~ township officer submits a written statement to

1 the appropriate board that he or she is ~~physically~~ able to
2 resume ~~perform~~ his or her duties ~~duty~~. The statement shall be
3 sworn to before an officer authorized to administer oaths in
4 this State. A temporary deputy shall not be permitted to vote
5 at any meeting of the township board on any matter properly
6 before the board unless the appointed deputy is a trustee of
7 the board at the time of the vote. If the appointed deputy is a
8 trustee appointed as a temporary deputy, his or her trustee
9 compensation shall be suspended until he or she concludes his
10 or her appointment as an appointed deputy upon the permanent
11 appointment to fill the vacancy. The compensation of a
12 temporary deputy shall be determined by the appropriate board.
13 The township board shall not appoint a deputy clerk if the
14 township clerk has appointed a deputy clerk under Section
15 75-45.

16 (d) Except for the temporary appointment of a deputy under
17 subsection (c), any ~~Any~~ person appointed to fill a vacancy
18 under this Section shall be a member of the same political
19 party as the person vacating the office if the person vacating
20 the office was elected as a member of an established political
21 party, under Section 10-2 of the Election Code, that is still
22 in existence at the time of appointment. The appointee shall
23 establish his or her political party affiliation by his or her
24 record of voting in party primary elections or by holding or
25 having held an office in a political party organization before
26 appointment. If the appointee has not voted in a party primary

1 election or is not holding or has not held an office in a
2 political party organization before the appointment, then the
3 appointee shall establish his or her political party
4 affiliation by his or her record of participating in a
5 political party's nomination or election caucus.

6 (Source: P.A. 97-295, eff. 1-1-12.)

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