



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4328

Introduced 1/29/2020, by Rep. Terra Costa Howard

SYNOPSIS AS INTRODUCED:

75 ILCS 5/4-3.3
75 ILCS 16/30-20

from Ch. 81, par. 4-3.3

Amends the Illinois Local Library Act. Provides that a person is not eligible to be elected or serve as a library trustee: unless he or she is a qualified elector of the local jurisdiction and has resided in it for at least one year at the time he or she files nomination papers or a declaration of intent to become a write-in candidate or is presented for appointment; and if he or she is in arrears in the payment of property tax due to the library or has been convicted in any court in the United States of any infamous crime, bribery, perjury, or other felony. Excludes: (1) nominees or trustees of the Chicago Public Library; or (2) a library trustee currently serving on the effective date of the amendatory Act until the library trustee files nomination papers or a declaration of intent to become a write-in candidate or is presented for reappointment. Amends the Public Library District Act of 1991. Prevents persons from becoming a trustee (rather than only serving as a trustee) under specified circumstances, including unless he or she has continuously resided (rather than just resided) in the library district at least one year preceding the day (rather than at the time) he or she executes a statement of candidacy (rather than files nomination papers). Makes other changes. Effective immediately.

LRB101 16263 AWJ 65636 b

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 Illinois Local Library Act is amended by
5 changing Section 4-3.3 as follows:

6 (75 ILCS 5/4-3.3) (from Ch. 81, par. 4-3.3)

7 Sec. 4-3.3. (a) Nominations for the position of library
8 trustee including the first board of library trustees shall be
9 by petition, signed by at least 25 legal voters residing in the
10 incorporated town or village (except a village under the
11 commission form of government) or township and filed with the
12 clerk of such incorporated town, village, or township within
13 the time prescribed by the general election law. Such clerk
14 shall certify the candidates for library trustees to the proper
15 election authorities who shall conduct the election in
16 accordance with the general election law. All candidates must
17 be residents of the incorporated town, village or township
18 involved. The ballots shall not designate any political party,
19 platform or political principle.

20 (b) A person is not eligible to be elected or serve as a
21 library trustee unless he or she is a qualified elector of the
22 local jurisdiction and has resided in it for at least one year
23 at the time he or she files nomination papers or a declaration

1 of intent to become a write-in candidate or is presented for
2 appointment.

3 (c) A person is not eligible to be elected or serve as a
4 library trustee who, at the time of his or her appointment or
5 filing of nomination papers or a declaration of intent to
6 become a write-in candidate, is in arrears in the payment of
7 property tax due to the library or has been convicted in any
8 court in the United States of any infamous crime, bribery,
9 perjury, or other felony.

10 (d) Subsections (b) and (c) do not apply to: (1) nominees
11 or trustees of the Chicago Public Library; or (2) a library
12 trustee currently serving on the effective date of this
13 amendatory Act of the 101st General Assembly until the library
14 trustee files nomination papers or a declaration of intent to
15 become a write-in candidate or is presented for reappointment.

16 (Source: P.A. 95-65, eff. 1-1-08.)

17 Section 10. The Public Library District Act of 1991 is
18 amended by changing Section 30-20 as follows:

19 (75 ILCS 16/30-20)

20 Sec. 30-20. Nomination of candidates; ballot.

21 (a) Nomination of candidates for election as trustees shall
22 be by petition, signed by a number of qualified voters
23 equivalent to at least 2% of the votes cast at the last
24 election for library trustees, or 50, whichever is less,

1 residing within the district, and filed with the secretary of
2 the district within the time provided by the Election Code. No
3 party name or affiliation may appear on the petition.

4 (b) The names of all candidates for the office of trustee
5 shall be certified by the secretary to the proper election
6 authority, who shall conduct the election in accordance with
7 the Election Code.

8 (c) The ballot for election of trustees shall not designate
9 any political party, platform, or political principle.

10 (d) A person is not eligible to become a candidate for or
11 serve as a library trustee unless he or she is a qualified
12 elector of the library district and has continuously resided in
13 the library district at least one year preceding the day ~~at the~~
14 ~~time~~ he or she executes a statement of candidacy ~~files~~
15 ~~nomination papers~~ or a declaration of intent to become a
16 write-in candidate or is presented for appointment.

17 (e) A person is not eligible to become a candidate for or
18 serve as a library trustee who, at the time of his or her
19 appointment, execution of a statement of candidacy or ~~filing of~~
20 ~~nomination papers~~ or a declaration of intent to become a
21 write-in candidate, is in arrears in the payment of property a
22 ~~tax or other indebtedness~~ due to the library district or has
23 been convicted in any court in the United States of any
24 infamous crime, bribery, perjury, or other felony.

25 (f) The changes made by this amendatory Act of the 100th
26 General Assembly apply only to candidates by petition or

1 write-in candidates in the consolidated election of 2019 and
2 thereafter and to all appointees appointed after the effective
3 date of this amendatory Act of the 100th General Assembly.

4 (Source: P.A. 100-746, eff. 8-10-18.)

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