



Rep. Sam Yingling

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LRB101 07184 AWJ 60319 a

1 AMENDMENT TO SENATE BILL 1236

2 AMENDMENT NO. _____. Amend Senate Bill 1236 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Local Government Officer Compensation Act
5 is amended by adding Section 25 as follows:

6 (50 ILCS 145/25 new)

7 Sec. 25. Elected official salary. Notwithstanding the
8 provision of any other law to the contrary, an elected officer
9 of a unit of local government that is a participating employer
10 under the Illinois Municipal Retirement Fund shall not receive
11 any salary or other compensation from the unit of local
12 government if the member is receiving pension benefits from the
13 Illinois Municipal Retirement Fund under Article 7 of the
14 Illinois Pension Code for the elected official's service in
15 that same elected position. If an elected officer is receiving
16 benefits from the Illinois Municipal Retirement Fund on the

1 effective date of this amendatory Act of the 101st General
2 Assembly, the elected official's salary and compensation shall
3 be reduced to zero at the beginning of the member's next term
4 if the member is still receiving such pension benefits.

5 Section 10. The Counties Code is amended by changing
6 Section 2-1003 by adding Sections 4-10005, 5-3003, and 6-31013
7 as follows:

8 (55 ILCS 5/2-1003) (from Ch. 34, par. 2-1003)

9 Sec. 2-1003. Chairman and vice-chairman of county board.
10 The county board shall, unless the chairman is elected by the
11 voters of the county, at its first meeting in the month
12 following the month in which county board members are elected,
13 choose one of its members as chairman for a term of 2 years and
14 at the same meeting, choose one of its members as vice-chairman
15 for a term of 2 years. The vice-chairman shall serve in the
16 place of the chairman at any meeting of the county board in
17 which the chairman is not present. In case of the absence of
18 the chairman and the vice-chairman at any meeting, the members
19 present shall choose one of their number as temporary chairman.

20 A chairman who is chosen by the county board may be
21 removed, with or without cause, upon a motion adopted by an
22 affirmative vote of four-fifths of the county board. Upon
23 adoption of a motion to remove the chairman: (i) the chairman
24 position becomes vacant and the former chairman's compensation

1 shall be prorated to the date the motion was approved; (ii) the
2 vice-chairman immediately assumes the duties of chairman
3 without chairman compensation; and (iii) a new chairman shall
4 be elected at the next regularly scheduled county board
5 meeting. A chairman removed under this Section maintains his or
6 her status as a member of the county board.

7 (Source: P.A. 86-962.)

8 (55 ILCS 5/4-10005 new)

9 Sec. 4-10005. County board salaries. Notwithstanding
10 Section 4-10001, a member of a county board shall not receive
11 any salary or other compensation from the county if the member
12 is receiving pension benefits from the Illinois Municipal
13 Retirement Fund under Article 7 of the Illinois Pension Code
14 for the member's service as a county board member. If a member
15 of a county board is receiving benefits from the Illinois
16 Municipal Retirement Fund on the effective date of this
17 amendatory Act of the 101st General Assembly, the member's
18 salary and compensation shall be reduced to zero at the
19 beginning of the member's next term if the member is still
20 receiving pension benefits from the Illinois Municipal
21 Retirement Fund for service as a county board member.

22 (55 ILCS 5/5-3003 new)

23 Sec. 5-3003. Contracts for goods and services valued at
24 more than \$30,000.

1 (a) A vendor wishing to contract with a county for goods
2 and services in an amount greater than \$30,000 shall disclose
3 to the county, prior to a county board's vote on the contract,
4 any familial relationship between a county elected official,
5 department director, deputy director and a manager, owner,
6 principal, or officer of the vendor's company. "Familial
7 relationship" means a spouse (including civil partner), child,
8 stepchild, parent, stepparent, grandparent, in-laws (including
9 parent, grandparent, sibling, or child), relatives and
10 non-relatives living in the same residence, and offspring born
11 to any previously-mentioned person.

12 (b) If a vendor wishing to contract has a familial
13 relationship disclosed under subsection (a), then the contract
14 can only be approved or renewed by roll call vote and not on a
15 consent agenda. It must be preceded by a recitation by the
16 chairperson, which includes the name of the elected official or
17 employee and the nature of the familial relationship being
18 disclosed.

19 (c) A contract subject to this Section which is not
20 approved as provided in this Section is void.

21 (55 ILCS 5/6-31013 new)

22 Sec. 6-31013. Transitional audits.

23 (a) No later than 5 days after certification of the
24 election results, the county clerk shall notify newly elected
25 countywide officials of the option for an auditor to conduct a

1 transitional audit at the county's expense. An elected county
2 auditor shall conduct the audit upon a request of the newly
3 elected countywide official. In a county that does not have an
4 elected county auditor, the newly elected countywide official
5 may hire a qualified auditing firm. The county board shall pay
6 all costs associated with an audit. The transitional audit
7 shall examine funds expended by the official for whom the newly
8 elected official is taking over and report if the expended
9 funds were consistent with the county board's financial
10 allocations to that official.

11 (b) A county board shall give the option for a transitional
12 financial audit to all county officials elected in or after
13 November 2016.

14 (c) A home rule county shall not regulate transitional
15 audits in a manner inconsistent with this Section. This Section
16 is a limitation under subsection (i) of Section 6 of Article
17 VII of the Illinois Constitution on the concurrent exercise by
18 home rule units of powers and functions exercised by the State.

19 Section 15. The Downstate Forest Preserve District Act is
20 amended by changing Section 8 as follows:

21 (70 ILCS 805/8) (from Ch. 96 1/2, par. 6315)

22 Sec. 8. Powers and duties of corporate authority and
23 officers; contracts; salaries.

24 (a) The board shall be the corporate authority of such

1 forest preserve district and shall have power to pass and
2 enforce all necessary ordinances, rules and regulations for the
3 management of the property and conduct of the business of such
4 district. The president of such board shall have power to
5 appoint such employees as may be necessary. In counties with
6 population of less than 3,000,000, within 60 days after their
7 selection the commissioners appointed under the provisions of
8 Section 3a of this Act shall organize by selecting from their
9 members a president, vice president, secretary, treasurer and
10 such other officers as are deemed necessary who shall hold
11 office for the fiscal year in which elected and until their
12 successors are selected and qualify. In the one district in
13 existence on July 1, 1977, that is managed by an appointed
14 board of commissioners, the incumbent president and the other
15 officers appointed in the manner as originally prescribed in
16 this Act shall hold such offices until the completion of their
17 respective terms or in the case of the officers other than
18 president until their successors are appointed by said
19 president, but in all cases not to extend beyond January 1,
20 1980 and until their successors are selected and qualify.
21 Thereafter, the officers shall be selected in the manner as
22 prescribed in this Section except that their first term of
23 office shall not expire until June 30, 1981 and until their
24 successors are selected and qualify.

25 (a-5) An officer selected pursuant to subsection (a) may be
26 removed, with or without cause, upon a motion adopted by an

1 affirmative vote of four-fifths of the board of the forest
2 preserve district. Upon adoption of a motion to remove an
3 officer: (i) the office becomes vacant and the former officer's
4 compensation shall be prorated to the date the motion was
5 approved; (ii) if the officer removed is the president then the
6 vice president immediately assumes the duties of the president
7 without president compensation and, if the officer removed is
8 the vice president, treasurer, or secretary, then the president
9 shall select an interim appointee who shall serve until the
10 next regularly scheduled forest preserve district board
11 meeting; and (iii) a new officer shall be selected at the next
12 regularly scheduled forest preserve district board meeting. An
13 officer removed under this Section maintains his or her status
14 as a member of the forest preserve district board.

15 (b) In any county, city, village, incorporated town or
16 sanitary district where the corporate authorities act as the
17 governing body of a forest preserve district, the person
18 exercising the powers of the president of the board shall have
19 power to appoint a secretary and an assistant secretary and
20 treasurer and an assistant treasurer and such other officers
21 and such employees as may be necessary. The assistant secretary
22 and assistant treasurer shall perform the duties of the
23 secretary and treasurer, respectively in case of death of such
24 officers or when such officers are unable to perform the duties
25 of their respective offices. All contracts for supplies,
26 material or work involving an expenditure in excess of \$25,000,

1 or a lower amount if required by board policy, shall be let to
2 the lowest responsible bidder, after advertising at least once
3 in one or more newspapers of general circulation within the
4 district, excepting work requiring personal confidence or
5 necessary supplies under the control of monopolies, where
6 competitive bidding is impossible. Contracts for supplies,
7 material or work involving an expenditure of \$25,000, or a
8 lower amount if required by board policy, or less may be let
9 without advertising for bids, but whenever practicable, at
10 least 3 competitive bids shall be obtained before letting such
11 contract. All contracts for supplies, material or work shall be
12 signed by the president of the board of commissioners or by any
13 such other officer as the board in its discretion may
14 designate.

15 (c) The president of any board of commissioners appointed
16 under the provisions of Section 3a of this Act shall receive a
17 salary not to exceed the sum of \$2500 per annum and the salary
18 of other members of the board so appointed shall not exceed
19 \$1500 per annum. Salaries of the commissioners, officers and
20 employees shall be fixed by ordinance.

21 (d) Whenever a forest preserve district owns any personal
22 property that, in the opinion of three-fifths of the members of
23 the board of commissioners, is no longer necessary, useful to,
24 or for the best interests of the forest preserve district, then
25 three-fifths of the members of the board, at any regular
26 meeting or any special meeting called for that purpose by an

1 ordinance or resolution that includes a general description of
2 the personal property, may authorize the conveyance or sale of
3 that personal property in any manner that they may designate,
4 with or without advertising the sale.

5 (Source: P.A. 98-463, eff. 8-16-13; 99-771, eff. 8-12-16.)

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