



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB1666

Introduced 2/26/2021, by Sen. Linda Holmes

#### SYNOPSIS AS INTRODUCED:

55 ILCS 5/2-3003  
55 ILCS 5/2-3004

from Ch. 34, par. 2-3003  
from Ch. 34, par. 2-3004

Amends the Counties Code. Provides that, in a county where the chairman of the county board or county executive is elected by the voters of the county, should there be a delay in the availability of the census data, the chairman of the county board or county executive may develop and present the decennial apportionment plan to the board within 6 months following availability of the data. Makes conforming changes. Effective immediately.

LRB102 13358 AWJ 18702 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 Counties Code is amended by changing  
5 Sections 2-3003 and 2-3004 as follows:

6 (55 ILCS 5/2-3003) (from Ch. 34, par. 2-3003)

7 Sec. 2-3003. Apportionment plan.

8 (1) If the county board determines that members shall be  
9 elected by districts, it shall develop an apportionment plan  
10 and specify the number of districts and the number of county  
11 board members to be elected from each district and whether  
12 voters will have cumulative voting rights in multi-member  
13 districts. Each such district:

14 a. Shall be substantially equal in population to each  
15 other district;

16 b. Shall be comprised of contiguous territory, as  
17 nearly compact as practicable; and

18 c. May divide townships or municipalities only when  
19 necessary to conform to the population requirement of  
20 paragraph a. of this Section.

21 d. Shall be created in such a manner so that no  
22 precinct shall be divided between 2 or more districts,  
23 insofar as is practicable.

1           (2) The county board of each county having a population of  
2 less than 3,000,000 inhabitants may, if it should so decide,  
3 provide within that county for single member districts outside  
4 the corporate limits and multi-member districts within the  
5 corporate limits of any municipality with a population in  
6 excess of 75,000. Paragraphs a, b, c and d of subsection (1) of  
7 this Section shall apply to the apportionment of both single  
8 and multi-member districts within a county to the extent that  
9 compliance with paragraphs a, b, c and d still permit the  
10 establishment of such districts, except that the population of  
11 any multi-member district shall be equal to the population of  
12 any single member district, times the number of members found  
13 within that multi-member district.

14           (3) In a county where the Chairman of the County Board is  
15 elected by the voters of the county as provided in Section  
16 2-3007, the Chairman of the County Board may develop and  
17 present to the Board by the third Wednesday in May in the year  
18 after a federal decennial census year an apportionment plan in  
19 accordance with the provisions of subsection (1) of this  
20 Section. Should there be a delay in the availability of the  
21 census data, the Chairman of County Board may develop and  
22 present the plan to the Board within 6 months following  
23 availability of the data. If the Chairman presents a plan to  
24 the Board by the third Wednesday in May, or within 6 months  
25 after the data becomes available from the federal government  
26 should the data be delayed, the Board shall conduct at least

1 one public hearing to receive comments and to discuss the  
2 apportionment plan, the hearing shall be held at least 6 days  
3 but not more than 21 days after the Chairman's plan was  
4 presented to the Board, and the public shall be given notice of  
5 the hearing at least 6 days in advance. If the Chairman  
6 presents a plan by the third Wednesday in May, the Board is  
7 prohibited from enacting an apportionment plan until after a  
8 hearing on the plan presented by the Chairman. The Chairman  
9 shall have access to the federal decennial census available to  
10 the Board.

11 (4) In a county where a County Executive is elected by the  
12 voters of the county as provided in Section 2-5007 of the  
13 Counties Code, the County Executive may develop and present to  
14 the Board by the third Wednesday in May in the year after a  
15 federal decennial census year an apportionment plan in  
16 accordance with the provisions of subsection (1) of this  
17 Section. Should there be a delay in the availability of the  
18 census data, the County Executive may develop and present the  
19 plan to the Board within 6 months following availability of  
20 the data. If the Executive presents a plan to the Board by the  
21 third Wednesday in May, or within 6 months after the data  
22 becomes available from the federal government should the data  
23 be delayed, the Board shall conduct at least one public  
24 hearing to receive comments and to discuss the apportionment  
25 plan, the hearing shall be held at least 6 days but not more  
26 than 21 days after the Executive's plan was presented to the

1 Board, and the public shall be given notice of the hearing at  
2 least 6 days in advance. If the Executive presents a plan by  
3 the third Wednesday in May, the Board is prohibited from  
4 enacting an apportionment plan until after a hearing on the  
5 plan presented by the Executive. The Executive shall have  
6 access to the federal decennial census available to the Board.  
7 (Source: P.A. 96-1540, eff. 3-7-11; 97-986, eff. 8-17-12.)

8 (55 ILCS 5/2-3004) (from Ch. 34, par. 2-3004)

9 Sec. 2-3004. Failure to complete reapportionment. If any  
10 county board fails to complete the reapportionment of its  
11 county by July 1 in 2011 or any 10 years thereafter, ~~or~~ by the  
12 day after the county board's regularly scheduled July meeting  
13 in 2011 or any 10 years thereafter, or within 6 months  
14 following the availability of the data from the federal  
15 government should the data be delayed, whichever is later, the  
16 county clerk of that county shall convene the county  
17 apportionment commission. Three members of the commission  
18 shall constitute a quorum, but a majority of all the members  
19 must vote affirmatively on any determination made by the  
20 commission. The commission shall adopt rules for its  
21 procedure.

22 The commission shall develop an apportionment plan for the  
23 county in the manner provided by Section 2-3003, dividing the  
24 county into the same number of districts as determined by the  
25 county board. If the county board has failed to determine the

1 size of the county board to be elected, then the number of  
2 districts and the number of members to be elected shall be the  
3 largest number to which the county is entitled under Section  
4 2-3002.

5 The commission shall submit its apportionment plan by  
6 October 1 in the year that it is convened, except that the  
7 circuit court, for good cause shown, may grant an extension of  
8 time, not exceeding a total of 60 days, within which such a  
9 plan may be submitted.

10 (Source: P.A. 96-1540, eff. 3-7-11.)

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