



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1485

Introduced 2/7/2023, by Sen. Seth Lewis

SYNOPSIS AS INTRODUCED:

70 ILCS 1205/2-10a
70 ILCS 1205/2-12a

from Ch. 105, par. 2-10a
from Ch. 105, par. 2-12a

Amends the Park District Code. Provides that, if a district board's membership has been expanded or reduced by referendum or resolution, the additional members will be elected not earlier than 197 days (currently, 60 days) after the referendum or resolution and a reduction of board members will not affect the terms of any commissioners holding office at the time of the referendum or to be elected within 197 (currently, 60) days after the referendum. Provides that, if the terms of a district's board members have increased or decreased after referendum or resolution, the terms will commence with the first regular park district election at least 197 days (currently, 60 days) after the date on which the terms were increased or reduced by referendum or resolution. Makes other changes. Effective immediately.

LRB103 04869 AWJ 49879 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 Park District Code is amended by changing
5 Sections 2-10a and 2-12a as follows:

6 (70 ILCS 1205/2-10a) (from Ch. 105, par. 2-10a)

7 Sec. 2-10a. Any district may provide by referendum, or by
8 resolution of the board, that the board shall be comprised of 7
9 commissioners. Any such referendum shall be initiated and held
10 in the same manner as is provided by the general election law.

11 If a majority of the votes cast on the proposition is in
12 favor of the 7-member board, or if the board adopts a
13 resolution stating that it is acting pursuant to this Section
14 in order to create a 7-member board, then whichever of the
15 following transition schedules are appropriate shall be
16 applied: At the election of commissioners next following by at
17 least 197 ~~60~~ days after the date on which the proposition to
18 create a 7-member board was approved at referendum or by
19 resolution, the number of commissioners to be elected shall be
20 2 more than the number that would otherwise have been elected.
21 If this results in the election, pursuant to Section 2-12 of
22 this Act, of 4 commissioners at that election, one of the 4, to
23 be determined by lot within 30 days after the election, shall

1 serve for a term of 4 years or 2 years as the case may be,
2 instead of 6 years, so that his term will expire in the same
3 year in which the term of only one of the incumbent
4 commissioners expires. Thereafter all commissioners shall be
5 elected for 6-year terms as provided in Section 2-12. If the
6 creation of a 7-member board results in the election of either
7 3 or 4 commissioners, pursuant to Section 2-12a of this Act, at
8 that election, 2 of them, to be determined by lot within 30
9 days after the election, shall serve for terms of 2 years
10 instead of 4 years. Thereafter all commissioners shall be
11 elected for 4-year terms as provided in Section 2-12a of this
12 Act.

13 In any district where a 7-member board has been created
14 pursuant to this Section whether by referendum or by
15 resolution, the number of commissioners may later be reduced
16 to 5, but only by a referendum initiated and held in the same
17 manner as prescribed in this Section for creating a 7-member
18 board. No proposition to reduce the number of commissioners
19 shall affect the terms of any commissioners holding office at
20 the time of the referendum or to be elected within 197 ~~60~~ days
21 after ~~of~~ the referendum. If a majority of the votes cast on the
22 proposition is in favor of reducing a 7-member board to a
23 5-member board, then, at the election of commissioners next
24 following by at least 197 ~~60~~ days after the date on which the
25 proposition was approved at referendum, the number of
26 commissioners to be elected shall be 2 less than the number

1 that would otherwise have been elected and whichever of the
2 following transition schedules are appropriate shall be
3 applied: (i) if this results in the election of no
4 commissioners for a 6-year term pursuant to Section 2-12 of
5 this Act, then at the next election in which 3 commissioners
6 are scheduled to be elected to 6-year terms as provided in
7 Section 2-12, one of the 3, to be determined by lot within 30
8 days after the election, shall serve for a term of 4 years or 2
9 years, as the case may be, instead of 6 years, so that his or
10 her term will expire in the same year in which the term of no
11 incumbent commissioner is scheduled to expire; thereafter, all
12 commissioners shall be elected for 6-year terms as provided in
13 Section 2-12; or (ii) if the reduction to a 5-member board
14 results in the election of one commissioner to a 4-year term,
15 pursuant to Section 2-12a of this Act, then at the next
16 election in which 4 commissioners are scheduled to be elected
17 to 4-year terms as provided in Section 2-12a, one of the 4, to
18 be determined by lot within 30 days after the election, shall
19 serve for a term of 2 years, instead of 4 years, so that his or
20 her term will expire in the same year in which the term of only
21 one incumbent commissioner is scheduled to expire; thereafter,
22 all commissioners shall be elected for 4-year terms as
23 provided in Section 2-12a.

24 (Source: P.A. 100-351, eff. 8-25-17.)

25 (70 ILCS 1205/2-12a) (from Ch. 105, par. 2-12a)

1 Sec. 2-12a. Any district may provide, either by resolution
2 of the board or by referendum, that the term of commissioners
3 shall be 4 years rather than 6 years. Any such referendum shall
4 be initiated and held in the same manner as is provided by the
5 general election law for public questions authorized by
6 Article VII of the Illinois Constitution.

7 If a majority of the votes cast on the proposition is in
8 favor of a 4-year term for commissioners, or if the Board
9 adopts a resolution stating that it is acting pursuant to this
10 Section to change the term of office from 6 years to 4 years,
11 commissioners thereafter elected, commencing with the first
12 regular park district election at least 197 ~~60~~ days after the
13 date on which the proposition for 4-year terms was approved at
14 referendum or by resolution, shall be elected for a term of 4
15 years. In order to provide for the transition from 6-year
16 terms to 4-year terms:

17 (1) If 2 commissioners on a 5-member board are to be
18 elected at the first such election and if the term of only
19 one commissioner is scheduled to expire in the year of the
20 next election at which commissioners are elected, of the 2
21 commissioners elected, one shall serve a 2-year term and
22 one a 4-year term, to be determined by lot between the 2
23 persons elected within 30 days after the election.

24 (2) On a 7-member board under Section 2-10a, if the
25 terms of only 2 commissioners are scheduled to expire in
26 the year of the second election at which commissioners are

1 elected after the first regular park district election at
2 least 197 ~~60~~ days after the date on which the proposition
3 for 4-year terms was approved at referendum or by
4 resolution, then:

5 (A) if 3 commissioners are elected at the first
6 regular election, 2 of the commissioners elected shall
7 serve a 2-year term and one shall serve a 4-year term
8 to be determined by lot between persons elected within
9 30 days after the first election; or

10 (B) if 2 commissioners are elected at the first
11 regular election, those 2 commissioners elected shall
12 serve a 2-year term.

13 In any district where the board has created 4-year terms
14 pursuant to this Section, whether by referendum or by
15 resolution, the length of terms may later be increased to 6
16 years, but only by a referendum initiated and held in the same
17 manner as prescribed in this Section for creating 4-year
18 terms. No proposition to increase the terms of commissioners
19 shall affect any commissioner holding office at the time of
20 the referendum or to be elected within 197 ~~60~~ days after ~~of~~ the
21 referendum.

22 (Source: P.A. 101-58, eff. 7-12-19.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.