



Sen. Sue Rezin

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10300SB2289sam001

LRB103 28798 BMS 58594 a

1 AMENDMENT TO SENATE BILL 2289

2 AMENDMENT NO. _____. Amend Senate Bill 2289 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing
5 Section 25-11 as follows:

6 (10 ILCS 5/25-11) (from Ch. 46, par. 25-11)

7 Sec. 25-11. Except as otherwise provided in this
8 paragraph, when a vacancy occurs in any elective county
9 office, or in a county of less than 3,000,000 population in the
10 office of clerk of the circuit court, in a county which is not
11 a home rule unit, the county board or board of county
12 commissioners shall declare that such vacancy exists and
13 notification thereof shall be given to the county central
14 committee or the appropriate county board or board of county
15 commissioners district committee of each established political
16 party within 3 days of the occurrence of the vacancy. The

1 vacancy shall be filled within 60 days by appointment of the
2 chair of the county board or board of county commissioners
3 with the advice and consent of the county board or board of
4 county commissioners. In a county ~~In counties other than~~
5 ~~Champaign County operating under the county executive form of~~
6 ~~government under Division 2 5 of the Counties Code, when a~~
7 ~~vacancy occurs in an elected county office other than in the~~
8 ~~office of an elected member of the county board, the county~~
9 ~~executive shall declare that such vacancy exists and then~~
10 ~~notification of the vacancy shall be given to the county~~
11 ~~central committee of each established political party within 3~~
12 ~~days of the occurrence of the vacancy, and the vacancy shall be~~
13 ~~filled within 60 days by appointment of the county executive~~
14 ~~with the advice and consent of the county board. However, when~~
15 ~~a vacancy occurs in the office of an elected member of the~~
16 ~~county board in a county other than Champaign County that is~~
17 ~~operating under the county executive form of government under~~
18 ~~Division 2 5 of the Counties Code, the elected county board~~
19 ~~speaker or county board chair, as the case may be, shall~~
20 ~~declare that such vacancy exists and then notification shall~~
21 ~~be given to the appropriate county board district committee of~~
22 ~~each established political party within 3 days of the~~
23 ~~occurrence of the vacancy, and the vacancy shall be filled~~
24 ~~within 60 days by appointment of the elected county board~~
25 ~~speaker or county board chair, as the case may be, with the~~
26 ~~advice and consent of the county board. In Champaign County~~

1 ~~while~~ operating under the county executive form of government
2 under Division 2-5 of the Counties Code, when a vacancy occurs
3 in an elected county office or in the office of an elected
4 member of the county board, the elected county board speaker
5 or county board chair, as the case may be, shall declare that
6 such vacancy exists and then notification shall be given to
7 the county central committee or the appropriate county board
8 district committee of each established political party within
9 3 days of the occurrence of the vacancy; and the vacancy shall
10 be filled within 60 days by appointment of the elected county
11 board speaker or county board chair, as the case may be, with
12 the advice and consent of the county board. In counties in
13 which forest preserve district commissioners are elected by
14 districts and are not also members of the county board,
15 however, vacancies in the office of forest preserve district
16 commissioner shall be filled within 60 days by appointment of
17 the president of the forest preserve district board of
18 commissioners with the advice and consent of the forest
19 preserve district board of commissioners. In counties in which
20 the forest preserve district president is not also a member of
21 the county board, vacancies in the office of forest preserve
22 district president shall be filled within 60 days by the
23 forest preserve district board of commissioners by appointing
24 one of the commissioners to serve as president. ~~The appointee~~
25 ~~shall be a member of the same political party as the person he~~
26 ~~succeeds was at the time of his election and shall be otherwise~~

1 ~~eligible to serve.~~ The appointee shall serve the remainder of
2 the unexpired term. However, if more than 28 months remain in
3 the term, the appointment shall be until the next general
4 election at which time the vacated office shall be filled by
5 election for the remainder of the term. In the case of a
6 vacancy in a seat on a county board or board of county
7 commissioners which has been divided into districts under
8 Section 2-3003 or 2-4006.5 of the Counties Code, the appointee
9 must also be a resident of the county board or county
10 commission district. If a county commissioner ceases to reside
11 in the district that he or she represents, a vacancy in that
12 office exists.

13 Except as otherwise provided by county ordinance or by
14 law, in any county which is a home rule unit, vacancies in
15 elective county offices, other than the office of chief
16 executive officer, and vacancies in the office of clerk of the
17 circuit court in a county of less than 3,000,000 population,
18 shall be filled by the county board or board of county
19 commissioners.

20 For any vacancy in any elective office filled under this
21 Section, the appointee shall be a member of the same political
22 party as the person he or she succeeds was at the time of his
23 or her election and shall be otherwise eligible to serve.

24 (Source: P.A. 102-1120, eff. 1-23-23.)

25 Section 10. The Counties Code is amended by changing

1 Section 2-5009 as follows:

2 (55 ILCS 5/2-5009) (from Ch. 34, par. 2-5009)

3 Sec. 2-5009. Duties and powers of county executive. Any
4 county executive elected under this Division shall:

5 (a) see that all of the orders, resolutions and
6 regulations of the board are faithfully executed;

7 (b) coordinate and direct by executive order or otherwise
8 all administrative and management functions of the county
9 government except the offices of elected county officers;

10 (b-5) control the internal operations of the county
11 executive's office and procure the necessary equipment,
12 materials, and services to perform the duties of that office;

13 (c) prepare and submit to the board for its approval the
14 annual budget for the county required by Division 6-1 of this
15 Code;

16 (d) appoint, with the advice and consent of the board,
17 persons to serve on the various boards and commissions to
18 which appointments are provided by law to be made by the board;

19 ~~(d-5) make appointments to fill vacancies occurring in the~~
20 ~~office of an elected county officer other than the office of an~~
21 ~~elected member of the county board in accordance with Section~~
22 ~~25-11 of the Election Code in counties, other than Champaign~~
23 ~~County, operating under the county executive form of~~
24 ~~government under this Division;~~

25 (e) appoint, with the advice and consent of the board,

1 persons to serve on various special districts within the
2 county except where appointment to serve on such districts is
3 otherwise provided by law;

4 (e-5) except as otherwise provided by law, remove or
5 suspend, in the county executive's discretion and after notice
6 and hearing, anyone whom the county executive has the power to
7 appoint under subsection (d) or (e);

8 (f) make an annual report to the board on the affairs of
9 the county, on such date and at such time as the board shall
10 designate, and keep the board fully advised as to the
11 financial condition of the county and its future financial
12 needs;

13 (f-5) appoint, with the advice and consent of the board,
14 all department heads for any county departments;

15 (g) hire such subordinate deputies, employees and
16 appointees for the general administration of county affairs as
17 considered necessary, except those deputies, employees and
18 appointees in the office of an elected county officer or
19 county board member;

20 (h) except as otherwise provided by law, remove or
21 suspend, in the discretion of the county executive, department
22 heads for a county department and anyone whom the county
23 executive has the power to hire under subsection (g);

24 (i) require reports and examine accounts, records and
25 operations of all county administrative units;

26 (j) supervise the care and custody of all county property

1 including institutions and agencies;

2 (k) approve or veto ordinances or resolutions pursuant to
3 Section 2-5010;

4 (l) preside over board meetings; however, the county
5 executive is not entitled to vote except to break a tie vote;

6 (l-5) for a county executive of a county that has adopted
7 the executive form of government on or before the effective
8 date of this amendatory Act of the 96th General Assembly, if
9 the County Executive is temporarily not available to preside
10 over a board meeting, the County Executive shall designate a
11 board member to preside over the board meeting;

12 (m) call a special meeting of the county board, by a
13 written executive order signed by the county executive and
14 upon 24 hours notice by delivery of a copy of such order to the
15 residence of each board member;

16 (n) with the advice and consent of the county board, enter
17 into intergovernmental agreements with other governmental
18 units;

19 (o) with the advice and consent of the county board,
20 negotiate on behalf of the county with governmental units and
21 the private sector for the purpose of promoting economic
22 growth and development;

23 (p) at the discretion of the county executive, appoint a
24 person to serve as legal counsel at an annual salary no greater
25 than the annual salary of the state's attorney of the county;

26 (q) perform such other duties as shall be required of the

1 county executive by the board.

2 (Source: P.A. 102-1120, eff. 1-23-23.)".