



Sen. John J. Cullerton

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09300SB0717sam001

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1 AMENDMENT TO SENATE BILL 0717

2 AMENDMENT NO. _____. Amend Senate Bill 0717 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing
5 Section 2A-10 and 7-4 and by adding Section 2A-10.2 as follows:

6 (10 ILCS 5/2A-10) (from Ch. 46, par. 2A-10)

7 Sec. 2A-10. Assessor - Board of Appeals. In each county
8 which elects a County Assessor and a Board of Appeals, the
9 County Assessor and the Board of Appeals shall be elected at
10 the general election in 1978 and at the general election every
11 4 years thereafter, except that, in Cook County, a county
12 assessor shall not be elected after the general election in
13 2002.

14 (Source: P.A. 80-936.)

15 (10 ILCS 5/2A-10.2 new)

16 Sec. 2A-10.2. Tax administrator. In Cook County, the County
17 Tax Administrator shall be elected at the general election in
18 2006 and every 4 years thereafter.

19 (10 ILCS 5/7-4) (from Ch. 46, par. 7-4)

20 Sec. 7-4. The following words and phrases in this Article 7
21 shall, unless the same be inconsistent with the context, be
22 construed as follows:

1 1. The word "primary" the primary elections provided for in
2 this Article, which are the general primary, the consolidated
3 primary, and for those municipalities which have annual
4 partisan elections for any officer, the municipal primary held
5 6 weeks prior to the general primary election date in even
6 numbered years.

7 2. The definition of terms in Section 1-3 of this Act shall
8 apply to this Article.

9 3. The word "precinct" a voting district heretofore or
10 hereafter established by law within which all qualified
11 electors vote at one polling place.

12 4. The words "state office" or "state officer", an office
13 to be filled, or an officer to be voted for, by qualified
14 electors of the entire state, including United States Senator
15 and Congressman at large.

16 5. The words "congressional office" or "congressional
17 officer", representatives in Congress.

18 6. The words "county office" or "county officer," include
19 an office to be filled or an officer to be voted for, by the
20 qualified electors of the entire county. "County office" or
21 "county officer" also include the assessor and board of appeals
22 and county tax administrator and county commissioners and
23 president of county board of Cook County, and county board
24 members and the chairman of the county board in counties
25 subject to "An Act relating to the composition and election of
26 county boards in certain counties", enacted by the 76th General
27 Assembly.

28 7. The words "city office" and "village office," and
29 "incorporated town office" or "city officer" and "village
30 officer", and "incorporated town officer" an office to be
31 filled or an officer to be voted for by the qualified electors
32 of the entire municipality, including aldermen.

33 8. The words "town office" or "town officer", an office to
34 be filled or an officer to be voted for by the qualified

1 electors of an entire town.

2 9. The words "town" and "incorporated town" shall
3 respectively be defined as in Section 1-3 of this Act.

4 10. The words "delegates and alternate delegates to
5 National nominating conventions" include all delegates and
6 alternate delegates to National nominating conventions whether
7 they be elected from the state at large or from congressional
8 districts or selected by State convention unless contrary and
9 non-inclusive language specifically limits the term to one
10 class.

11 11. "Judicial office" means a post held by a judge of the
12 Supreme, Appellate or Circuit Court.

13 (Source: P.A. 80-1469.)

14 Section 10. The Property Tax Code is amended by changing
15 Sections 3-50 and 3-50.5 as follows:

16 (35 ILCS 200/3-50)

17 Sec. 3-50. Election of county assessors - Counties of
18 3,000,000 or more. In all counties with 3,000,000 or more
19 inhabitants, ~~the office of county assessor, heretofore created~~
20 ~~and established, is hereby continued.~~

21 ~~The~~ county assessor shall be elected as provided in the
22 general election law, at the general election in 1994 and every
23 fourth year thereafter through 2002 to hold office for a term
24 of 4 years from the first Monday of December, and until a
25 successor is elected and qualified. Any vacancy in office shall
26 be filled by appointment as provided in the general election
27 law, until the next regular election of county officers when a
28 successor shall be elected for the unexpired term or for the
29 full term as the case may require. The county assessor shall
30 take the oath and give the bond herein required of other
31 assessors and of supervisors of assessments and shall receive
32 such compensation payable from the county treasury in an amount

1 set by the county board. The amount so set shall not be changed
2 during the term for which he or she is elected or appointed.
3 The county assessor shall also have a suitable office to be
4 provided by the county board.

5 No assessor shall be elected after 2002 in counties with
6 3,000,000 or more inhabitants. Notwithstanding any other law to
7 the contrary, beginning with the term of the County Tax
8 Administrator elected in 2006, (i) all functions, duties, and
9 powers of the county assessor shall be exercised by the County
10 Tax Administrator and (ii) all employees, records, and property
11 of the county assessor shall be transferred to the County Tax
12 Administrator.

13 (Source: P.A. 83-121; 88-455.)

14 (35 ILCS 200/3-50.5 new)

15 Sec. 3-50.5. Election of County Tax Administrator; Cook
16 County.

17 (a) In Cook County, the office of County Tax Administrator
18 is established.

19 (b) The County Tax Administrator shall be elected as
20 provided in the general election law, at the general election
21 in 2006 and every fourth year thereafter. The County Tax
22 Administrator shall hold office for a term of 4 years from the
23 first Monday of December and until a successor is elected and
24 qualified. Any vacancy in the office shall be filled by
25 appointment as provided in the general election law, until the
26 next regular election of county officers, when a successor
27 shall be elected for the unexpired term or for the full term,
28 as the case may require. The County Tax Administrator shall
29 take the oath and give the bond required of assessors and of
30 supervisors of assessments and shall receive compensation
31 payable from the county treasury in an amount set by the county
32 board. The amount of compensation set by the county board shall
33 not be changed during the term for which the County Tax

1 Administrator is elected or appointed. The County Tax
2 Administrator shall also have a suitable office to be provided
3 by the county board.

4 (c) The County Tax Administrator shall have all of the
5 functions, duties, and powers of a county assessor and shall
6 also have all of the tax administration-related functions,
7 duties, and powers of the county auditor, county clerk, and
8 county treasurer.

9 Section 15. The Counties Code is amended by changing
10 Sections 3-2013, 3-10005, and 3-14048 as follows:

11 (55 ILCS 5/3-2013) (from Ch. 34, par. 3-2013)

12 Sec. 3-2013. General duties of clerk. Subject to the
13 provisions of "The Local Records Act", the duties of the county
14 clerk shall be-

15 1st. To act as clerk of the county board of his county and
16 to keep an accurate record of the proceedings of said board,
17 file and preserve all bills of account acted upon by the board,
18 and when any account is allowed or disallowed, he shall note
19 that fact thereon, and when a part of any account is allowed he
20 shall note particularly the items allowed.

21 2nd. To keep a book in which he shall enter the number,
22 date and amount of each order upon the county treasurer, and
23 the name of the person in whose favor the same is drawn, and
24 when such order is canceled, he shall note the date of
25 cancellation opposite such entry.

26 3rd. Before any such order is delivered to the person for
27 whose benefit it is drawn, the county clerk shall present the
28 same to the county treasurer, who shall personally countersign
29 the same.

30 4th. To keep a book, in which shall be entered in
31 alphabetical order, by name of the principal, a minute of all
32 official bonds filed in his office, giving the name of the

1 office, amount and date of bond, names of sureties and date of
2 filing, with such reference to the number or other designation
3 of the bond, that the same may be easily found.

4 5th. To keep proper alphabetical indexes of all records and
5 papers in his office.

6 6th. To give any person requiring the same, and paying the
7 lawful fees therefor, a copy of any record, paper or account in
8 his office.

9 7th. Such other duties as are or may be required by law.

10 In Cook County, notwithstanding any other law to the
11 contrary, beginning with the term of the County Tax
12 Administrator elected in 2006, (i) all functions, duties, and
13 powers of the clerk that are related to administration of taxes
14 shall be exercised by the County Tax Administrator and (ii)
15 those employees, records, and property of the clerk determined
16 by the county board to be necessary to the exercise of those
17 functions, duties, and powers shall be transferred to the
18 County Tax Administrator.

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

20 (55 ILCS 5/3-10005) (from Ch. 34, par. 3-10005)

21 Sec. 3-10005. Functions, powers and duties of treasurer.
22 The treasurer has those functions, powers and duties as
23 provided in the Sections following this Section and preceding
24 Section 3-10006. He shall receive and safely keep the revenues
25 and other public moneys of the county, and all money and funds
26 authorized by law to be paid to him, and disburse the same
27 pursuant to law. He shall appoint his deputies, assistants and
28 personnel to assist him in the performance of his duties. His
29 deputies shall take and subscribe the same oath for the
30 discharge of their duties as is required of him, which oath
31 shall be entered of record in the office of the county clerk.
32 The Treasurer shall, in all cases, be responsible for the acts
33 of his deputies. The functions and powers of the county

1 treasurers shall be uniform in the various counties of this
2 State.

3 In Cook County, notwithstanding any other law to the
4 contrary, beginning with the term of the County Tax
5 Administrator elected in 2006, (i) all functions, duties, and
6 powers of the treasurer that are related to administration of
7 taxes shall be exercised by the County Tax Administrator and
8 (ii) those employees, records, and property of the treasurer
9 determined by the county board to be necessary to the exercise
10 of those functions, duties, and powers shall be transferred to
11 the County Tax Administrator.

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

13 (55 ILCS 5/3-14048) (from Ch. 34, par. 3-14048)

14 Sec. 3-14048. County auditor. In the County of Cook, there
15 is hereby created the office of auditor who shall be appointed
16 by the President of the County Board, in accordance with the
17 terms and provisions of the law in relation to civil service in
18 said county, and whose compensation and official bond shall be
19 fixed by said board; and there shall be formulated, installed
20 and regulated by and under the direction and authority of the
21 County Board, and subject to the provisions of "The Local
22 Records Act", a uniform system of books of account, forms,
23 reports and records to be used in the offices of every county
24 officer of Cook County which said system of books of account,
25 forms, reports and records so formulated under the direction of
26 the said County Board and installed and regulated shall be used
27 by said county officers for the purpose of keeping an accurate
28 statement of moneys received by them and all the financial and
29 business transactions of their respective offices; and said
30 auditor shall audit or cause to be audited from day to day the
31 receipts of the said several offices and the reports of the
32 said offices of the business transactions of their respective
33 offices and certify to their correctness or incorrectness to

1 the County Board. Said auditor shall report monthly to the
2 County Board a summarized and classified statement of the
3 official transactions of each of the said offices of each
4 officer of Cook County for each day of said month; and the said
5 auditor shall further make a semi-annual report to the County
6 Board containing a recapitulation of the receipts of the
7 several offices for the preceding 6 months; such report to
8 include the period covered by the semi-annual report of the
9 several officers of the County of Cook to the County Board
10 where a semi-annual report is required by law from said
11 officers.

12 For the purpose aforesaid the said County Board or any one
13 authorized by it in addition to the power and authority vested
14 in them by Sections 3-13001 and 3-13002, as heretofore or
15 hereafter amended, are vested with power and authority to enter
16 the office of any county officer of Cook County at all times
17 and to have free and unrestricted access to all the books,
18 papers, forms, reports, accounts and memoranda used by said
19 officers for the transaction of the business of their
20 respective offices for the purpose of auditing, checking or
21 correcting the reports when reports to the County Board are
22 required from said offices by law, or compiling the records
23 provided herein to be made to the County Board, or auditing the
24 general business of the offices.

25 Said auditor may under the direction of the County Board
26 prescribe new forms, reports, accounts or records to be used by
27 said officers in the transaction of the said business of their
28 several respective offices, or change, alter or amend the same
29 from time to time.

30 The said auditor may with the authority of the President of
31 the County Board employ assistants, the number and compensation
32 of whom shall be fixed by the County Board.

33 Notwithstanding any other law to the contrary, beginning
34 with the term of the County Tax Administrator elected in 2006,

1 (i) all functions, duties, and powers of the auditor that are
2 related to administration of taxes shall be exercised by the
3 County Tax Administrator and (ii) those employees, records, and
4 property of the auditor determined by the county board to be
5 necessary to the exercise of those functions, duties, and
6 powers shall be transferred to the County Tax Administrator.

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

8 Section 20. The Cook County Forest Preserve District Act is
9 amended by changing Section 24 as follows:

10 (70 ILCS 810/24) (from Ch. 96 1/2, par. 6427)

11 Sec. 24. Fiscal year; annual appropriation ordinance;
12 amendments; monthly schedule.

13 (a) The fiscal year of each forest preserve district
14 subject to this Act shall extend from January 1, until December
15 31. The forest preserve district shall, before the commencement
16 or within 60 days after the commencement of each fiscal year,
17 adopt an annual appropriation ordinance, which shall
18 appropriate sums of money required to defray all necessary
19 expenses and liabilities of the district to be paid or incurred
20 during that fiscal year. Transfers from one appropriation of
21 any one fund to another of the same fund, not affecting the
22 total amount appropriated, may be made at any meeting of the
23 Board.

24 (b) The annual appropriation ordinance may be amended in
25 the same manner as other ordinances appropriating money. The
26 ordinance must be amended at the next meeting of the Board that
27 occurs not less than 5 days after the passage of the
28 appropriation ordinance. The ordinance, as originally passed
29 or as subsequently amended, may also be amended at any meeting
30 of the Board held not more than 15 days after the first meeting
31 of the Board that occurs not less than 5 days after the passage
32 of the annual appropriation ordinance, by repealing or reducing

1 the amount of any item or items of appropriation contained in
2 the ordinance. The Board has the power, by a two-thirds vote of
3 all members of the Board, to make transfers within any fund,
4 department, or other office or agency of the district, of sums
5 of money appropriated for one object or purpose to another
6 object or purpose, but no appropriation for any object or
7 purpose shall be reduced below an amount sufficient to cover
8 all obligations incurred against the appropriation.

9 (c) For purposes of controlling expenditures, the
10 expenditure of or incurring of obligations against any
11 appropriation may be delayed, restricted, or terminated with
12 regard to any object or purpose for which appropriations were
13 made in the appropriation ordinance. A monthly schedule for the
14 year of proposed expenditure, including any limitations or
15 conditions against appropriations for each program,
16 subactivity, and the agency or department, shall be made within
17 30 days of the adoption of the annual appropriation ordinance.
18 The schedule, as amended by the President of the Board, shall
19 be binding upon all officers, agencies, and departments. The
20 schedule of expenditure or of incurring obligations may not be
21 exceeded, but the schedule may be revised after 3 calendar
22 months have elapsed since the last schedule.

23 (Source: P.A. 87-1191.)".