

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 1. Short title. This Act may be cited as the  
5 Beardstown Regional Flood Prevention District Act.

6 Section 3. Definitions. As used in this Act, the following  
7 terms shall have the following meanings unless a different  
8 meaning clearly appears from the context:

9 "Board" means the Board of Commissioners of the Beardstown  
10 Regional Flood Prevention District.

11 "County board" means the Cass County Board.

12 "District" means the Beardstown Regional Flood Prevention  
13 District created by this Act.

14 "Fund" means the Beardstown Regional Flood Prevention  
15 District Property Tax Fund created under subsection (h) of  
16 Section 20 of this Act.

17 Section 5. Creation; purpose.

18 (a) The Cass County Board may, by ordinance approved by the  
19 affirmative vote of the majority of the members of the county  
20 board, create the Beardstown Regional Flood Prevention  
21 District to perform emergency levee repair and flood  
22 prevention, prevent the loss of life or property, and comply

1 with the levee requirements imposed by the Federal Emergency  
2 Management Agency and the United States Army Corps of  
3 Engineers. The Beardstown Regional Flood Prevention District  
4 shall include all properties located within the Federal  
5 Emergency Management Agency's (FEMA's) floodplain map with a  
6 Provisionally Accredited Levees (PAL) expiration date of  
7 January 27, 2011, and all properties within or later annexed to  
8 or incorporated into the South Beardstown Levee and Drainage  
9 District, the Valley Levee and Drainage District, the Lost  
10 Creek Levee and Drainage District, the City of Beardstown, and  
11 the Beardstown Sanitary District regardless of the elevation of  
12 the properties. The Beardstown Regional Flood Prevention  
13 District shall work in concert with affected existing drainage  
14 districts, the City of Beardstown, the Beardstown Sanitary  
15 District, the Cass County Board, the people of Cass County,  
16 FEMA, and the Army Corps of Engineers. In addition to the  
17 powers and authority granted to the District in Section 15 of  
18 this Act, the District shall be responsible for performing and  
19 funding all regular and necessary repairs and maintenance to  
20 the levees including, but not limited to: (i) the repair,  
21 maintenance and replacement of pipes, relief wells,  
22 infrastructure, and other structures existing on or within the  
23 levees as of the effective date of this Act or which may be  
24 constructed or installed by the District after its  
25 establishment; (ii) the removal and abatement of unwanted  
26 vegetation and nuisance animals; (iii) the mowing of the

1 levees; and (iv) the establishment and maintenance of levee sod  
2 covering. The creation of the Beardstown Regional Flood  
3 Protection District shall neither constitute nor be deemed a  
4 conveyance of title or ownership to the district of any  
5 properties within the district.

6 (b) The district created under this Act shall be dissolved  
7 upon the later of (i) 25 years after the date the district is  
8 created or (ii) the payment of all obligations of the county  
9 and district under Section 20 of this Act and any federal  
10 reimbursement moneys under Section 25 of this Act. The district  
11 may be dissolved earlier if all federal reimbursement moneys  
12 have been paid and all obligations of the county and district  
13 incurred under this Act have been paid, including any  
14 obligations related to bonds issued under Section 15 of this  
15 Act and any obligations incurred pursuant to an  
16 intergovernmental agreement. Upon dissolution of the district,  
17 sole possession, control, and maintenance of the properties and  
18 improvements within the district shall revert back to the South  
19 Beardstown Levee and Drainage District, the Valley Levee and  
20 Drainage District, the Lost Creek Levee and Drainage District,  
21 the City of Beardstown, and the Beardstown Sanitary District,  
22 as existed prior to the creation of the district.

23 Section 10. Commissioners.

24 (a) The affairs of the district shall be managed by a board  
25 of 7 commissioners: one shall be appointed by the chairperson

1 of the county board; one shall be appointed by the Mayor of the  
2 City of Beardstown; one shall be appointed by the Beardstown  
3 Sanitary District; one shall be appointed by the South  
4 Beardstown Levee and Drainage District; one shall be appointed  
5 by the Valley Levee and Drainage District; one shall be  
6 appointed by the Lost Creek Levee and Drainage District; and  
7 one shall be appointed by a majority vote of the other 6  
8 commissioners. All initial appointments under this Section  
9 must be made within 60 days after the district is organized.

10 (b) Of the initial appointments, 3 commissioners shall  
11 serve a 2-year term and 4 commissioners shall serve a 4-year  
12 term, as determined by lot. Their successors shall be appointed  
13 for 4-year terms. No commissioner may serve for more than 20  
14 years. Vacancies shall be filled in the same manner as original  
15 appointments.

16 (c) Each commissioner must be a legal voter in Cass County,  
17 and all commissioners shall reside in and own property that is  
18 located within the district. Commissioners shall serve without  
19 compensation, but may be reimbursed for reasonable expenses  
20 incurred in the performance of their duties.

21 (d) A majority of the commissioners shall constitute a  
22 quorum of the board for the transaction of business. An  
23 affirmative vote of a majority of the commissioners shall be  
24 sufficient to approve any action or expenditure.

25 (e) An alderman of the City of Beardstown, a member of the  
26 county board, and a commissioner of each of the aforementioned

1 drainage districts and sanitation district may be appointed to  
2 serve concurrently as commissioners of the district, and the  
3 appointment shall be deemed lawful and not to constitute a  
4 violation of the Public Officer Prohibited Activities Act, nor  
5 to create an impermissible conflict of interest or  
6 incompatibility of offices.

7 Section 15. Powers of the district. A district formed under  
8 this Act has the following powers:

9 (1) To sue or be sued.

10 (2) To apply for and accept gifts, grants, and loans  
11 from any public agency or private entity.

12 (3) To enter into intergovernmental agreements with  
13 other governmental units including municipalities,  
14 sanitary districts, or drainage districts to further  
15 ensure levee repair, levee construction or reconstruction,  
16 and flood prevention, including agreements with the United  
17 States Army Corps of Engineers or any other agency or  
18 department of the federal government.

19 (4) To undertake evaluation, planning, design,  
20 construction, and related activities that are determined  
21 to be urgently needed to stabilize, repair, restore,  
22 improve, or replace existing levees.

23 (5) To address underseepage problems and old and  
24 deteriorating gates, pipes, and other infrastructure  
25 related to existing levees.

1           (6) To conduct evaluations of levees and other flood  
2 control facilities including the performance of floodplain  
3 mapping studies.

4           (7) To provide capital moneys for levee studies  
5 including the construction of facilities for that purpose.

6           (8) To borrow money or receive money from the United  
7 States Government or any agency thereof, or from any other  
8 public or private source, for the purposes of the district.

9           (9) To enter into agreements with private property  
10 owners.

11           (10) To issue revenue bonds for the purposes of the  
12 district. Revenue bonds shall be payable from revenue  
13 received from a property tax imposed under Section 20 of  
14 this Act and from any other revenue sources available to  
15 the flood prevention district. These bonds may be issued  
16 with maturities not exceeding 25 years after the date of  
17 issue, and in any amounts as may be necessary to provide  
18 sufficient funds, together with interest, for the purposes  
19 of the district. These bonds shall bear interest at a rate  
20 of not more than the maximum rate authorized by the Bond  
21 Authorization Act, as amended at the time of the making of  
22 the contract of sale, payable semi-annually, may be made  
23 registerable as to principal, and may be made payable and  
24 callable as provided on any date at a price of par and  
25 accrued interest under any terms and conditions as may be  
26 fixed by an ordinance approved by the affirmative vote of

1 the county board. Bonds issued under this Section are  
2 negotiable instruments. In case any officer whose  
3 signature appears on the bonds or coupons ceases to hold  
4 that office before the bonds are delivered, the officer's  
5 signature shall nevertheless be valid and sufficient for  
6 all purposes the same as though the officer had remained in  
7 office until the bonds were delivered. The bonds shall be  
8 sold in any manner and upon any terms as the district shall  
9 determine, except that the selling price shall be such that  
10 the interest cost to the district of the proceeds of the  
11 bonds shall not exceed the maximum rate authorized by the  
12 Bond Authorization Act, as amended at the time of the  
13 making of the contract of sale, payable semi-annually,  
14 computed to maturity according to the standard table of  
15 bond values.

16 (11) To acquire property by gift, grant, or  
17 intergovernmental agreement.

18 (12) To retain professional staff to carry out the  
19 functions of the district including, but not limited to,  
20 administrative support personnel and legal counsel. The  
21 district may employ a Chief Supervisor of Construction and  
22 the Works with appropriate professional qualifications,  
23 including a degree in engineering, construction,  
24 hydrology, or a related field, or an equivalent combination  
25 of education and experience. If the district employs a  
26 Chief Supervisor of Construction and the Works, he or she

1 shall be vested with the authority to carry out the duties  
2 and mission of the district, pursuant to the direction and  
3 supervision of the board of commissioners.

4 (13) To reimburse any unit of local government for  
5 costs advanced by the local government for expenses that  
6 would have otherwise been paid out of the Beardstown  
7 Regional Flood Prevention District Property Tax Fund, had  
8 the fund been established at the time of the expenditure.  
9 Nothing in this Section shall be construed to permit a unit  
10 of local government to seek reimbursement from the district  
11 for any expense related to levee maintenance, repair,  
12 improvement, construction, staff, operating expenses, the  
13 construction of facilities for any such purpose, or any  
14 other non-emergency levee related expense that occurred  
15 prior to an emergency situation involving the levees within  
16 the county.

17 (14) To change the name of the district by an ordinance  
18 approved by the affirmative vote of a majority of the  
19 commissioners of the district.

20 (15) To adopt rules, procedures, and policies  
21 concerning the operation and purpose of the district.

22 (16) To establish and maintain accounts with banks and  
23 other financial institutions to further the purposes and  
24 operations of the district.

25 (17) To expend monies in furtherance of the district's  
26 purposes and operations.



1 Section 20. Property tax.

2 (a) The district organized under this Act shall, by  
3 ordinance or resolution, petition the county board to levy a  
4 property tax to accomplish its goals, purposes, and obligations  
5 as set forth in Section 5 of this Act or to provide for the  
6 payment of debt incurred in accordance with this Act.

7 (b) The manner of levying the tax authorized by subsection  
8 (a) shall be as provided in this Section.

9 (c) A property tax may be levied by the district at a rate  
10 not to exceed 0.7% to produce revenues required to accomplish  
11 its goals, purposes, and obligations as set forth in Section 5  
12 of this Act. Before the first levy of taxes in the district,  
13 notice shall be given and a hearing shall be held under the  
14 provisions of subsections (d) and (e). For purposes of this  
15 subsection, the notice shall include:

16 (1) the time and place of the hearing;

17 (2) a notification that all interested persons,  
18 including all persons owning taxable real property located  
19 within the district, shall be given an opportunity to be  
20 heard at the hearing regarding the tax levy and an  
21 opportunity to file objections to the amount of the tax  
22 levy; and

23 (3) the maximum rate of taxes to be extended in any  
24 year and may include a maximum number of years the taxes  
25 will be levied.

1 (d) After the first levy of taxes, taxes may be extended  
2 without additional hearings, provided the taxes shall not  
3 exceed the rate specified in the notice and the taxes shall not  
4 be extended for a period longer than that outlined in  
5 subsection (b) of Section 5. The district, by ordinance or  
6 resolution, may petition the county board to increase the rate  
7 of tax by no more than 0.1%. Any such increase must be approved  
8 by the county board and by the electors.

9 The tax under this subsection may not be increased until,  
10 by ordinance or resolution of the county board, the question of  
11 imposing the tax has been submitted to the electors of the  
12 county at a regular election and approved by a majority of the  
13 electors voting on the question.

14 The election authority must submit the question in  
15 substantially the following form:

16 Shall Cass County be authorized to increase the  
17 property tax rate to be used exclusively for the operation  
18 of the Beardstown Regional Flood Prevention District by  
19 (insert up to 0.1%)?

20 The election authority must record the votes as "Yes" or "No".

21 If a majority of the electors voting on the question vote  
22 in the affirmative, then the county may, thereafter, increase  
23 the rate of tax.

24 The rate of tax may be increased more than once under this  
25 subsection, but not at the same election.

26 (d) Within a period of 61 to 120 calendar days following

1 the adoption of the ordinance establishing the district, the  
2 district shall fix a time and a place for a public hearing.  
3 Notice of the hearing shall be given by publication and  
4 mailing. Notice by publication shall be given by publication at  
5 least once not less than 15 days before the hearing in a  
6 newspaper of general circulation within the district. Notice by  
7 mailing shall be given by depositing the notice in the United  
8 States mail addressed to the person or persons in whose name  
9 the general taxes for the last preceding year were paid on each  
10 lot, block, tract, or parcel of land lying within the district.  
11 The notice shall be mailed not less than 10 days before the  
12 time set for the public hearing. In the event taxes for the  
13 last preceding year were not paid, the notice shall be sent to  
14 the person last listed on the tax rolls before that year as the  
15 owner of the property.

16 (e) At the public hearing, any interested person, including  
17 all persons owning taxable real property located within the  
18 district, may file with the district written objections to and  
19 may be heard orally in respect to any issues embodied in the  
20 notice. The district shall hear and determine all protests and  
21 objections at the hearing, and the hearing may be adjourned or  
22 recessed to another date without further notice other than a  
23 motion to be entered upon the minutes fixing the time and place  
24 of its adjournment.

25 (f) Bonds secured by the full faith and credit of the  
26 district may be issued as described in paragraph (10) of

1 Section 15. Bonds, when so issued, shall be retired by the levy  
2 of taxes as specified in subsection (c), against all of the  
3 taxable real property included in the district as provided in  
4 the ordinance or resolution authorizing the issuance of the  
5 bonds. The county clerk shall annually extend taxes against all  
6 of the taxable property situated in the county and contained in  
7 the district in amounts sufficient to pay maturing principal  
8 and interest of those bonds.

9 Before the issuance of bonds, notice shall be given and a  
10 hearing shall be held under the provisions of subsections (d)  
11 and (e). For purposes of this subsection, the notice shall  
12 include:

13 (1) the time and place of the hearing;

14 (2) a notification that all interested persons,  
15 including all persons owning taxable real property located  
16 within the district, will be given an opportunity to be  
17 heard at the hearing regarding the district's decision to  
18 issue the bonds and an opportunity to file objections to  
19 the issuance of the bonds; and

20 (3) the maximum amount of bonds proposed to be issued,  
21 the maximum period of time over which the bonds shall be  
22 retired, and the maximum interest rate the bonds shall  
23 bear.

24 The questions of the property tax levy and the issuance of  
25 bonds may be considered together at one hearing. Any bonds  
26 issued shall not exceed the number of bonds, the interest rate,

1 and the period of extension set forth in the notice, unless an  
2 additional hearing is held. No bonds issued under this Section  
3 shall be regarded as indebtedness of the district for the  
4 purpose of any limitation imposed by any law.

5 (g) If a petition signed by at least 30% of the electors  
6 residing within the district and by at least 30% of the owners  
7 of record of the land included within the boundaries of the  
8 district is filed with the district within 60 days following  
9 the final adjournment of the public hearing objecting to the  
10 levy or imposition of the property tax or issuance of bonds, no  
11 such tax may be levied or imposed or no such bonds may be  
12 issued. The subject matter of the petition filed by the  
13 electors and owners shall not be proposed by the district  
14 within the next year. Each resident of the district registered  
15 to vote at the time of the public hearing held with regard to  
16 the district shall be considered an elector. Each person in  
17 whose name legal title to land included within the boundaries  
18 of the district is held according to the records of the county  
19 in which the land is located shall be considered an owner of  
20 record. Owners of record shall be determined at the time of the  
21 public hearing held with regard to the district. Land owned in  
22 the name of a land trust, corporation, estate, or partnership  
23 shall be considered to have a single owner of record.

24 (h) If a property tax is levied, the tax shall be extended  
25 by the county clerk in the district in the manner provided by  
26 the Property Tax Code based on assessed values as established

1 under that Act. A special fund shall be created in the county  
2 treasury that shall be known as the Beardstown Regional Flood  
3 Prevention District Property Tax Fund. The county treasurer  
4 shall collect and deposit into the Fund the revenues generated  
5 by the property tax. The county treasurer shall, within 30 days  
6 of receiving tax revenues, disburse all revenues to the  
7 district.

8 Section 25. Disbursement of federal funds.

9 (a) Any reimbursements for the construction of flood  
10 protection facilities shall be appropriated to the district in  
11 accordance with the location of the specific facility for which  
12 the federal appropriation is made.

13 (b) If there are federal reimbursements to the district for  
14 construction of flood protection facilities that were built  
15 using revenues authorized by this Act, those funds shall be  
16 used for the early retirement of bonds issued in accordance  
17 with this Act.

18 (c) When all bond obligations of the district have been  
19 paid, the remaining federal reimbursement moneys shall be  
20 remitted in equal shares to the drainage districts and sanitary  
21 district included within the boundaries of the district to be  
22 used for the continued long-term maintenance of federal levees  
23 and flood protection districts.

24 Section 30. Financial audit of the district. A financial

1 audit of the district shall be conducted annually by a  
2 certified public accountant (CPA) that is licensed at the time  
3 of the audit by the Illinois Department of Financial and  
4 Professional Regulation. The CPA shall meet all of the general  
5 standards concerning qualifications, independence, due  
6 professional care, and quality control as required by the  
7 Government Auditing Standards, 1994 Revision, Chapter 3,  
8 including the requirements for continuing professional  
9 education and external peer review. The financial audit is to  
10 be performed in accordance with generally accepted auditing  
11 standards issued by the American Institute of Certified Public  
12 Accountants (AICPA) for field work and reporting, generally  
13 accepted government auditing standards (GAGAS), and AICPA  
14 Statements on Auditing Standards (SAS) current at the time the  
15 audit is commenced. The audit shall be made publicly available  
16 and sent to the county board chairperson and to the Secretary  
17 of State.

18 Section 35. Budget of the district. The board shall adopt  
19 an annual budget for the district in accordance with the fiscal  
20 year adopted by the county board. The budget shall include  
21 expected revenues by source and expenditures by project or by  
22 function for the following year. The budget must be approved by  
23 the county board prior to any expenditure by the district for  
24 the fiscal year. The county board must approve or disapprove  
25 the budget of the board within 30 calendar days after the

1 budget is received by the county board. If the county board  
2 does not act to approve or disapprove the budget within 30  
3 calendar days of receipt, it shall stand as approved. In  
4 addition, the board shall submit an annual report to the county  
5 board by the last day of the fiscal year detailing the  
6 activities of the district.

7 Section 40. Procurement. The board shall conduct all  
8 procurements in accordance with the requirements of the Local  
9 Government Professional Services Selection Act and any  
10 competitive bid requirements contained in Section 5-1022 of the  
11 Counties Code.

12 Section 45. The Illinois Governmental Ethics Act is amended  
13 by changing Section 4A-101 as follows:

14 (5 ILCS 420/4A-101) (from Ch. 127, par. 604A-101)

15 Sec. 4A-101. Persons required to file. The following  
16 persons shall file verified written statements of economic  
17 interests, as provided in this Article:

18 (a) Members of the General Assembly and candidates for  
19 nomination or election to the General Assembly.

20 (b) Persons holding an elected office in the Executive  
21 Branch of this State, and candidates for nomination or  
22 election to these offices.

23 (c) Members of a Commission or Board created by the



1 Illinois Constitution, and candidates for nomination or  
2 election to such Commission or Board.

3 (d) Persons whose appointment to office is subject to  
4 confirmation by the Senate and persons appointed by the  
5 Governor to any other position on a board or commission  
6 described in subsection (a) of Section 15 of the  
7 Gubernatorial Boards and Commissions Act.

8 (e) Holders of, and candidates for nomination or  
9 election to, the office of judge or associate judge of the  
10 Circuit Court and the office of judge of the Appellate or  
11 Supreme Court.

12 (f) Persons who are employed by any branch, agency,  
13 authority or board of the government of this State,  
14 including but not limited to, the Illinois State Toll  
15 Highway Authority, the Illinois Housing Development  
16 Authority, the Illinois Community College Board, and  
17 institutions under the jurisdiction of the Board of  
18 Trustees of the University of Illinois, Board of Trustees  
19 of Southern Illinois University, Board of Trustees of  
20 Chicago State University, Board of Trustees of Eastern  
21 Illinois University, Board of Trustees of Governor's State  
22 University, Board of Trustees of Illinois State  
23 University, Board of Trustees of Northeastern Illinois  
24 University, Board of Trustees of Northern Illinois  
25 University, Board of Trustees of Western Illinois  
26 University, or Board of Trustees of the Illinois

1 Mathematics and Science Academy, and are compensated for  
2 services as employees and not as independent contractors  
3 and who:

4 (1) are, or function as, the head of a department,  
5 commission, board, division, bureau, authority or  
6 other administrative unit within the government of  
7 this State, or who exercise similar authority within  
8 the government of this State;

9 (2) have direct supervisory authority over, or  
10 direct responsibility for the formulation,  
11 negotiation, issuance or execution of contracts  
12 entered into by the State in the amount of \$5,000 or  
13 more;

14 (3) have authority for the issuance or  
15 promulgation of rules and regulations within areas  
16 under the authority of the State;

17 (4) have authority for the approval of  
18 professional licenses;

19 (5) have responsibility with respect to the  
20 financial inspection of regulated nongovernmental  
21 entities;

22 (6) adjudicate, arbitrate, or decide any judicial  
23 or administrative proceeding, or review the  
24 adjudication, arbitration or decision of any judicial  
25 or administrative proceeding within the authority of  
26 the State;

1           (7) have supervisory responsibility for 20 or more  
2 employees of the State;

3           (8) negotiate, assign, authorize, or grant naming  
4 rights or sponsorship rights regarding any property or  
5 asset of the State, whether real, personal, tangible,  
6 or intangible; or

7           (9) have responsibility with respect to the  
8 procurement of goods or services.

9           (g) Persons who are elected to office in a unit of  
10 local government, and candidates for nomination or  
11 election to that office, including regional  
12 superintendents of school districts.

13           (h) Persons appointed to the governing board of a unit  
14 of local government, or of a special district, and persons  
15 appointed to a zoning board, or zoning board of appeals, or  
16 to a regional, county, or municipal plan commission, or to  
17 a board of review of any county, and persons appointed to  
18 the Board of the Metropolitan Pier and Exposition Authority  
19 and any Trustee appointed under Section 22 of the  
20 Metropolitan Pier and Exposition Authority Act, and  
21 persons appointed to a board or commission of a unit of  
22 local government who have authority to authorize the  
23 expenditure of public funds. This subsection does not apply  
24 to members of boards or commissions who function in an  
25 advisory capacity.

26           (i) Persons who are employed by a unit of local

1 government and are compensated for services as employees  
2 and not as independent contractors and who:

3 (1) are, or function as, the head of a department,  
4 division, bureau, authority or other administrative  
5 unit within the unit of local government, or who  
6 exercise similar authority within the unit of local  
7 government;

8 (2) have direct supervisory authority over, or  
9 direct responsibility for the formulation,  
10 negotiation, issuance or execution of contracts  
11 entered into by the unit of local government in the  
12 amount of \$1,000 or greater;

13 (3) have authority to approve licenses and permits  
14 by the unit of local government; this item does not  
15 include employees who function in a ministerial  
16 capacity;

17 (4) adjudicate, arbitrate, or decide any judicial  
18 or administrative proceeding, or review the  
19 adjudication, arbitration or decision of any judicial  
20 or administrative proceeding within the authority of  
21 the unit of local government;

22 (5) have authority to issue or promulgate rules and  
23 regulations within areas under the authority of the  
24 unit of local government; or

25 (6) have supervisory responsibility for 20 or more  
26 employees of the unit of local government.

1           (j) Persons on the Board of Trustees of the Illinois  
2 Mathematics and Science Academy.

3           (k) Persons employed by a school district in positions  
4 that require that person to hold an administrative or a  
5 chief school business official endorsement.

6           (l) Special government agents. A "special government  
7 agent" is a person who is directed, retained, designated,  
8 appointed, or employed, with or without compensation, by or  
9 on behalf of a statewide executive branch constitutional  
10 officer to make an ex parte communication under Section  
11 5-50 of the State Officials and Employees Ethics Act or  
12 Section 5-165 of the Illinois Administrative Procedure  
13 Act.

14           (m) Members of the board of commissioners of any flood  
15 prevention district created under the Flood Prevention  
16 District Act or the Beardstown Regional Flood Prevention  
17 District Act.

18           (n) Members of the board of any retirement system or  
19 investment board established under the Illinois Pension  
20 Code, if not required to file under any other provision of  
21 this Section.

22           (o) Members of the board of any pension fund  
23 established under the Illinois Pension Code, if not  
24 required to file under any other provision of this Section.

25           This Section shall not be construed to prevent any unit of  
26 local government from enacting financial disclosure

1 requirements that mandate more information than required by  
2 this Act.

3 (Source: P.A. 95-719, eff. 5-21-08; 96-6, eff. 4-3-09; 96-543,  
4 eff. 8-17-09; 96-555, eff. 8-18-09; 96-1000, eff. 7-2-10.)

5 Section 50. The Public Officer Prohibited Activities Act is  
6 amended by changing Section 2 as follows:

7 (50 ILCS 105/2) (from Ch. 102, par. 2)

8 Sec. 2. No alderman of any city, or member of the board of  
9 trustees of any village, during the term of office for which he  
10 or she is elected, may accept, be appointed to, or hold any  
11 office by the appointment of the mayor or president of the  
12 board of trustees, unless the alderman or board member is  
13 granted a leave of absence from such office, or unless he or  
14 she first resigns from the office of alderman or member of the  
15 board of trustees, or unless the holding of another office is  
16 authorized by law. The alderman or board member may, however,  
17 serve as a volunteer fireman and receive compensation for that  
18 service. The alderman may also serve as a commissioner of the  
19 Beardstown Regional Flood Prevention District board. Any  
20 appointment in violation of this Section is void. Nothing in  
21 this Act shall be construed to prohibit an elected municipal  
22 official from holding elected office in another unit of local  
23 government as long as there is no contractual relationship  
24 between the municipality and the other unit of local

1 government. This amendatory Act of 1995 is declarative of  
2 existing law and is not a new enactment.

3 (Source: P.A. 89-89, eff. 6-30-95.)

4 Section 99. Effective date. This Act takes effect upon  
5 becoming law.