



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB3182

Introduced 2/1/2012, by Sen. Dave Syverson

SYNOPSIS AS INTRODUCED:

10 ILCS 5/25-11
50 ILCS 105/1.2

from Ch. 46, par. 25-11

Amends the Election Code. Makes technical changes concerning the vacancies in a forest preserve district office and notifications of vacancies in county and forest preserve district offices. Provides that notification shall be given of each established political party within 3 days of the county board meeting where the vacancy was declared, rather than within 3 days of the occurrence of the vacancy. Amends the Public Officer Prohibited Activities Act. Authorizes a county board member in any county (now, in a county having fewer than 40,000 inhabitants), during his or her term of office, to concurrently hold the office of member of the board of education, regional board of school trustees, board of school directors, board of a community college district, or board of school inspectors. Effective immediately.

LRB097 19641 KMW 64895 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 Election Code is amended by changing Section
5 25-11 as follows:

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

7 Sec. 25-11. When a vacancy occurs in any elective county
8 office, forest preserve district office, or in a county of less
9 than 3,000,000 population in the office of clerk of the circuit
10 court, in a county which is not a home rule unit, the county
11 board, forest preserve district board of commissioners, or
12 board of county commissioners shall at their next meeting
13 declare that such vacancy exists and notification thereof shall
14 be given to the county central committee or the appropriate
15 county board or board of county commissioners district
16 committee of each established political party within 3 days of
17 the occurrence of the county board meeting where a vacancy was
18 declared. The vacancy shall be filled within 60 days of the
19 notification by appointment of the chairman of the county board
20 or board of county commissioners with the advice and consent of
21 the county board or board of county commissioners. In counties
22 in which forest preserve district commissioners are elected by
23 districts and are not also members of the county board,

1 however, vacancies in the office of forest preserve district
2 commissioner shall be filled within 60 days of the notification
3 by appointment of the president of the forest preserve district
4 board of commissioners with the advice and consent of the
5 forest preserve district board of commissioners. In counties in
6 which the forest preserve district president is not also a
7 member of the county board, vacancies in the office of forest
8 preserve district president shall be filled within 60 days of
9 the notification by the forest preserve district board of
10 commissioners by appointing one of the commissioners to serve
11 as president. The appointee shall be a member of the same
12 political party as the person he succeeds was at the time of
13 his election and shall be otherwise eligible to serve. The
14 appointee shall serve the remainder of the unexpired term.
15 However, if more than 28 months remain in the term, the
16 appointment shall be until the next general election at which
17 time the vacated office shall be filled by election for the
18 remainder of the term. In the case of a vacancy in a seat on a
19 county board or board of county commissioners which has been
20 divided into districts under Section 2-3003 or 2-4006.5 of the
21 Counties Code, the appointee must also be a resident of the
22 county board or county commission district. If a county
23 commissioner ceases to reside in the district that he or she
24 represents, a vacancy in that office exists.

25 Except as otherwise provided by county ordinance or by law,
26 in any county which is a home rule unit, vacancies in elective

1 county offices, other than the office of chief executive
2 officer, and vacancies in the office of clerk of the circuit
3 court in a county of less than 3,000,000 population, shall be
4 filled by the county board or board of county commissioners.
5 (Source: P.A. 92-189, eff. 8-1-01; 92-583, eff. 6-26-02.)

6 Section 10. The Public Officer Prohibited Activities Act is
7 amended by changing Section 1.2 as follows:

8 (50 ILCS 105/1.2)

9 Sec. 1.2. County board member; education office. A member
10 of the county board in any ~~a~~ county ~~having fewer than 40,000~~
11 ~~inhabitants~~, during the term of office for which he or she is
12 elected, may also hold the office of member of the board of
13 education, regional board of school trustees, board of school
14 directors, board of a community college district, or board of
15 school inspectors.

16 (Source: P.A. 97-460, eff. 8-19-11.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.