



Rep. Dave Winters

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09700SB3182ham003

LRB097 19641 KMW 68734 a

1 AMENDMENT TO SENATE BILL 3182

2 AMENDMENT NO. _____. Amend Senate Bill 3182 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. When a vacancy occurs in any elective county
8 office, or in a county of less than 3,000,000 population in the
9 office of clerk of the circuit court, in a county which is not
10 a home rule unit, the county board or board of county
11 commissioners shall at their next meeting declare that such
12 vacancy exists and notification thereof shall be given to the
13 county central committee or the appropriate county board or
14 board of county commissioners district committee of each
15 established political party within 3 days of the occurrence of
16 the county board meeting where a vacancy was declared. The

1 vacancy shall be filled within 60 days of the notification by
2 appointment of the chairman of the county board or board of
3 county commissioners with the advice and consent of the county
4 board or board of county commissioners. In counties in which
5 forest preserve district commissioners are elected by
6 districts and are not also members of the county board,
7 however, vacancies in the office of forest preserve district
8 commissioner shall be filled within 60 days by appointment of
9 the president of the forest preserve district board of
10 commissioners with the advice and consent of the forest
11 preserve district board of commissioners. In counties in which
12 the forest preserve district president is not also a member of
13 the county board, vacancies in the office of forest preserve
14 district president shall be filled within 60 days by the forest
15 preserve district board of commissioners by appointing one of
16 the commissioners to serve as president. The appointee shall be
17 a member of the same political party as the person he succeeds
18 was at the time of his election and shall be otherwise eligible
19 to serve. The appointee shall serve the remainder of the
20 unexpired term. However, if more than 28 months remain in the
21 term, the appointment shall be until the next general election
22 at which time the vacated office shall be filled by election
23 for the remainder of the term. In the case of a vacancy in a
24 seat on a county board or board of county commissioners which
25 has been divided into districts under Section 2-3003 or
26 2-4006.5 of the Counties Code, the appointee must also be a

1 resident of the county board or county commission district. If
2 a county commissioner ceases to reside in the district that he
3 or she represents, a vacancy in that office exists.

4 Except as otherwise provided by county ordinance or by law,
5 in any county which is a home rule unit, vacancies in elective
6 county offices, other than the office of chief executive
7 officer, and vacancies in the office of clerk of the circuit
8 court in a county of less than 3,000,000 population, shall be
9 filled by the county board or board of county commissioners.

10 (Source: P.A. 92-189, eff. 8-1-01; 92-583, eff. 6-26-02.)

11 Section 10. The Public Officer Prohibited Activities Act is
12 amended by changing Sections 1 and 1.2 as follows:

13 (50 ILCS 105/1) (from Ch. 102, par. 1)

14 Sec. 1. County board. No member of a county board, during
15 the term of office for which he or she is elected, may be
16 appointed to, accept, or hold any office other than (i)
17 chairman of the county board or member of the regional planning
18 commission by appointment or election of the board of which he
19 or she is a member, (ii) alderman of a city or member of the
20 board of trustees of a village or incorporated town if the
21 city, village, or incorporated town has fewer than 1,000
22 inhabitants and is located in a county having fewer than 50,000
23 inhabitants, ~~or~~ (iii) trustee of a forest preserve district
24 created under Section 18.5 of the Conservation District Act,

1 (iv) trustee of a fire protection district, or (v) commissioner
2 of a housing authority, unless he or she first resigns from the
3 office of county board member or unless the holding of another
4 office is authorized by law. Any such prohibited appointment or
5 election is void. This Section shall not preclude a member of
6 the county board from being selected or from serving as a
7 member of a County Extension Board as provided in Section 7 of
8 the County Cooperative Extension Law, as a member of an
9 Emergency Telephone System Board as provided in Section 15.4 of
10 the Emergency Telephone System Act, or as appointed members of
11 the board of review as provided in Section 6-30 of the Property
12 Tax Code. Nothing in this Act shall be construed to prohibit an
13 elected county official from holding elected office in another
14 unit of local government so long as there is no contractual
15 relationship between the county and the other unit of local
16 government. This amendatory Act of 1995 is declarative of
17 existing law and is not a new enactment.

18 (Source: P.A. 94-617, eff. 8-18-05.)

19 (50 ILCS 105/1.2)

20 Sec. 1.2. County board member; education office. A member
21 of the county board in any ~~a county having fewer than 40,000~~
22 ~~inhabitants,~~ during the term of office for which he or she is
23 elected, may also hold the office of member of the board of
24 education, regional board of school trustees, board of school
25 directors, board of a community college district, or board of

1 school inspectors.

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

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