

1 AN ACT concerning government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 (5 ILCS 90/Act rep.)

5 Section 3. The Gender-Neutral Statutes Commission Act is
6 repealed.

7 Section 5. The Election Code is amended by changing
8 Sections 2A-1.2, 2A-26, 2A-28, 7-4, 7-10, 10-3, and 23-6.1 as
9 follows:

10 (10 ILCS 5/2A-1.2) (from Ch. 46, par. 2A-1.2)

11 Sec. 2A-1.2. Consolidated schedule of elections - offices
12 designated.

13 (a) At the general election in the appropriate
14 even-numbered years, the following offices shall be filled or
15 shall be on the ballot as otherwise required by this Code:

16 (1) Elector of President and Vice President of the
17 United States;

18 (2) United States Senator and United States
19 Representative;

20 (3) State Executive Branch elected officers;

21 (4) State Senator and State Representative;

22 (5) County elected officers, including State's

1 Attorney, County Board member, County Commissioners, and
2 elected President of the County Board or County Chief
3 Executive;

4 (6) Circuit Court Clerk;

5 (7) Regional Superintendent of Schools, except in
6 counties or educational service regions in which that
7 office has been abolished;

8 (8) Judges of the Supreme, Appellate and Circuit
9 Courts, on the question of retention, to fill vacancies and
10 newly created judicial offices;

11 (9) (Blank);

12 (10) Trustee of the Metropolitan Water Reclamation
13 ~~Sanitary~~ District of Greater Chicago, and elected Trustee
14 of other Sanitary Districts;

15 (11) Special District elected officers, not otherwise
16 designated in this Section, where the statute creating or
17 authorizing the creation of the district requires an annual
18 election and permits or requires election of candidates of
19 political parties.

20 (b) At the general primary election:

21 (1) in each even-numbered year candidates of political
22 parties shall be nominated for those offices to be filled
23 at the general election in that year, except where pursuant
24 to law nomination of candidates of political parties is
25 made by caucus.

26 (2) in the appropriate even-numbered years the

1 political party offices of State central committeeperson,
2 township committeeperson, ward committeeperson, and
3 precinct committeeperson shall be filled and delegates and
4 alternate delegates to the National nominating conventions
5 shall be elected as may be required pursuant to this Code.
6 In the even-numbered years in which a Presidential election
7 is to be held, candidates in the Presidential preference
8 primary shall also be on the ballot.

9 (3) in each even-numbered year, where the municipality
10 has provided for annual elections to elect municipal
11 officers pursuant to Section 6(f) or Section 7 of Article
12 VII of the Constitution, pursuant to the Illinois Municipal
13 Code or pursuant to the municipal charter, the offices of
14 such municipal officers shall be filled at an election held
15 on the date of the general primary election, provided that
16 the municipal election shall be a nonpartisan election
17 where required by the Illinois Municipal Code. For partisan
18 municipal elections in even-numbered years, a primary to
19 nominate candidates for municipal office to be elected at
20 the general primary election shall be held on the Tuesday 6
21 weeks preceding that election.

22 (4) in each school district which has adopted the
23 provisions of Article 33 of the School Code, successors to
24 the members of the board of education whose terms expire in
25 the year in which the general primary is held shall be
26 elected.

1 (c) At the consolidated election in the appropriate
2 odd-numbered years, the following offices shall be filled:

3 (1) Municipal officers, provided that in
4 municipalities in which candidates for alderperson
5 ~~alderman~~ or other municipal office are not permitted by law
6 to be candidates of political parties, the runoff election
7 where required by law, or the nonpartisan election where
8 required by law, shall be held on the date of the
9 consolidated election; and provided further, in the case of
10 municipal officers provided for by an ordinance providing
11 the form of government of the municipality pursuant to
12 Section 7 of Article VII of the Constitution, such offices
13 shall be filled by election or by runoff election as may be
14 provided by such ordinance;

15 (2) Village and incorporated town library directors;

16 (3) City boards of stadium commissioners;

17 (4) Commissioners of park districts;

18 (5) Trustees of public library districts;

19 (6) Special District elected officers, not otherwise
20 designated in this Section, where the statute creating or
21 authorizing the creation of the district permits or
22 requires election of candidates of political parties;

23 (7) Township officers, including township park
24 commissioners, township library directors, and boards of
25 managers of community buildings, and Multi-Township
26 Assessors;

- 1 (8) Highway commissioners and road district clerks;
- 2 (9) Members of school boards in school districts which
3 adopt Article 33 of the School Code;
- 4 (10) The directors and chair of the Chain O Lakes - Fox
5 River Waterway Management Agency;
- 6 (11) Forest preserve district commissioners elected
7 under Section 3.5 of the Downstate Forest Preserve District
8 Act;
- 9 (12) Elected members of school boards, school
10 trustees, directors of boards of school directors,
11 trustees of county boards of school trustees (except in
12 counties or educational service regions having a
13 population of 2,000,000 or more inhabitants) and members of
14 boards of school inspectors, except school boards in school
15 districts that adopt Article 33 of the School Code;
- 16 (13) Members of Community College district boards;
- 17 (14) Trustees of Fire Protection Districts;
- 18 (15) Commissioners of the Springfield Metropolitan
19 Exposition and Auditorium Authority;
- 20 (16) Elected Trustees of Tuberculosis Sanitarium
21 Districts;
- 22 (17) Elected Officers of special districts not
23 otherwise designated in this Section for which the law
24 governing those districts does not permit candidates of
25 political parties.
- 26 (d) At the consolidated primary election in each

1 odd-numbered year, candidates of political parties shall be
2 nominated for those offices to be filled at the consolidated
3 election in that year, except where pursuant to law nomination
4 of candidates of political parties is made by caucus, and
5 except those offices listed in paragraphs (12) through (17) of
6 subsection (c).

7 At the consolidated primary election in the appropriate
8 odd-numbered years, the mayor, clerk, treasurer, and
9 alderpersons ~~aldermen~~ shall be elected in municipalities in
10 which candidates for mayor, clerk, treasurer, or alderperson
11 ~~alderman~~ are not permitted by law to be candidates of political
12 parties, subject to runoff elections to be held at the
13 consolidated election as may be required by law, and municipal
14 officers shall be nominated in a nonpartisan election in
15 municipalities in which pursuant to law candidates for such
16 office are not permitted to be candidates of political parties.

17 At the consolidated primary election in the appropriate
18 odd-numbered years, municipal officers shall be nominated or
19 elected, or elected subject to a runoff, as may be provided by
20 an ordinance providing a form of government of the municipality
21 pursuant to Section 7 of Article VII of the Constitution.

22 (e) (Blank).

23 (f) At any election established in Section 2A-1.1, public
24 questions may be submitted to voters pursuant to this Code and
25 any special election otherwise required or authorized by law or
26 by court order may be conducted pursuant to this Code.

1 Notwithstanding the regular dates for election of officers
2 established in this Article, whenever a referendum is held for
3 the establishment of a political subdivision whose officers are
4 to be elected, the initial officers shall be elected at the
5 election at which such referendum is held if otherwise so
6 provided by law. In such cases, the election of the initial
7 officers shall be subject to the referendum.

8 Notwithstanding the regular dates for election of
9 officials established in this Article, any community college
10 district which becomes effective by operation of law pursuant
11 to Section 6-6.1 of the Public Community College Act, as now or
12 hereafter amended, shall elect the initial district board
13 members at the next regularly scheduled election following the
14 effective date of the new district.

15 (g) At any election established in Section 2A-1.1, if in
16 any precinct there are no offices or public questions required
17 to be on the ballot under this Code then no election shall be
18 held in the precinct on that date.

19 (h) There may be conducted a referendum in accordance with
20 the provisions of Division 6-4 of the Counties Code.

21 (Source: P.A. 100-1027, eff. 1-1-19; revised 8-23-19.)

22 (10 ILCS 5/2A-26) (from Ch. 46, par. 2A-26)

23 Sec. 2A-26. Chicago Alderpersons ~~Aldermen~~. Alderpersons
24 ~~Aldermen~~ of the City of Chicago shall be elected at the
25 consolidated primary election in 1979 and at the consolidated

1 primary election every 4 years thereafter. The runoff election
2 where necessary, pursuant to law, for Chicago alderpersons
3 ~~aldermen~~ shall be held at the consolidated election in 1979,
4 and every 4 years thereafter.

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

6 (10 ILCS 5/2A-28) (from Ch. 46, par. 2A-28)

7 Sec. 2A-28. Cities Generally - Alderspersons ~~Aldermen~~ - Time
8 of Election. An alderperson ~~alderman~~ of a city other than the
9 City of Chicago shall be elected at the consolidated or general
10 primary election in each year to succeed each incumbent
11 alderperson ~~alderman~~ whose term ends before the following
12 consolidated or general election.

13 (Source: P.A. 81-1433.)

14 (10 ILCS 5/7-4) (from Ch. 46, par. 7-4)

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

18 1. The word "primary" the primary elections provided for in
19 this Article, which are the general primary, the consolidated
20 primary, and for those municipalities which have annual
21 partisan elections for any officer, the municipal primary held
22 6 weeks prior to the general primary election date in even
23 numbered years.

24 2. The definition of terms in Section 1-3 of this Act shall

1 apply to this Article.

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

5 4. The words "state office" or "state officer", an office
6 to be filled, or an officer to be voted for, by qualified
7 electors of the entire state, including United States Senator
8 and Congressperson ~~Congressman~~ at large.

9 5. The words "congressional office" or "congressional
10 officer", representatives in Congress.

11 6. The words "county office" or "county officer," include
12 an office to be filled or an officer to be voted for, by the
13 qualified electors of the entire county. "County office" or
14 "county officer" also include the assessor and board of appeals
15 and county commissioners and president of county board of Cook
16 County, and county board members and the chair of the county
17 board in counties subject to "An Act relating to the
18 composition and election of county boards in certain counties",
19 enacted by the 76th General Assembly.

20 7. The words "city office" and "village office," and
21 "incorporated town office" or "city officer" and "village
22 officer", and "incorporated town officer" an office to be
23 filled or an officer to be voted for by the qualified electors
24 of the entire municipality, including alderpersons ~~aldermen~~.

25 8. The words "town office" or "town officer", an office to
26 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. 100-1027, eff. 1-1-19.)

14 (10 ILCS 5/7-10) (from Ch. 46, par. 7-10)

15 Sec. 7-10. Form of petition for nomination. The name of no
16 candidate for nomination, or State central committeeperson, or
17 township committeeperson, or precinct committeeperson, or ward
18 committeeperson or candidate for delegate or alternate
19 delegate to national nominating conventions, shall be printed
20 upon the primary ballot unless a petition for nomination has
21 been filed in his behalf as provided in this Article in
22 substantially the following form:

23 We, the undersigned, members of and affiliated with the
24 party and qualified primary electors of the party, in
25 the of, in the county of and State of Illinois,

1 do hereby petition that the following named person or persons
 2 shall be a candidate or candidates of the party for the
 3 nomination for (or in case of committeepersons for election to)
 4 the office or offices hereinafter specified, to be voted for at
 5 the primary election to be held on (insert date).

6	Name	Office	Address
7	John Jones	Governor	Belvidere, Ill.
8	Jane James	Lieutenant Governor	Peoria, Ill.
9	Thomas Smith	Attorney General	Oakland, Ill.

10 Name..... Address.....

11 State of Illinois)

12) ss.

13 County of.....)

14 I,, do hereby certify that I reside at No.
 15 street, in the of, county of, and State of
 16, that I am 18 years of age or older, that I am a citizen
 17 of the United States, and that the signatures on this sheet
 18 were signed in my presence, and are genuine, and that to the
 19 best of my knowledge and belief the persons so signing were at
 20 the time of signing the petitions qualified voters of the
 21 party, and that their respective residences are correctly
 22 stated, as above set forth.

23

24 Subscribed and sworn to before me on (insert date).

1
.....

2 Each sheet of the petition other than the statement of
3 candidacy and candidate's statement shall be of uniform size
4 and shall contain above the space for signatures an appropriate
5 heading giving the information as to name of candidate or
6 candidates, in whose behalf such petition is signed; the
7 office, the political party represented and place of residence;
8 and the heading of each sheet shall be the same.

9 Such petition shall be signed by qualified primary electors
10 residing in the political division for which the nomination is
11 sought in their own proper persons only and opposite the
12 signature of each signer, his residence address shall be
13 written or printed. The residence address required to be
14 written or printed opposite each qualified primary elector's
15 name shall include the street address or rural route number of
16 the signer, as the case may be, as well as the signer's county,
17 and city, village or town, and state. However the county or
18 city, village or town, and state of residence of the electors
19 may be printed on the petition forms where all of the electors
20 signing the petition reside in the same county or city, village
21 or town, and state. Standard abbreviations may be used in
22 writing the residence address, including street number, if any.
23 At the bottom of each sheet of such petition shall be added a
24 circulator statement signed by a person 18 years of age or
25 older who is a citizen of the United States, stating the street

1 address or rural route number, as the case may be, as well as
2 the county, city, village or town, and state; and certifying
3 that the signatures on that sheet of the petition were signed
4 in his or her presence and certifying that the signatures are
5 genuine; and either (1) indicating the dates on which that
6 sheet was circulated, or (2) indicating the first and last
7 dates on which the sheet was circulated, or (3) certifying that
8 none of the signatures on the sheet were signed more than 90
9 days preceding the last day for the filing of the petition and
10 certifying that to the best of his or her knowledge and belief
11 the persons so signing were at the time of signing the
12 petitions qualified voters of the political party for which a
13 nomination is sought. Such statement shall be sworn to before
14 some officer authorized to administer oaths in this State.

15 No petition sheet shall be circulated more than 90 days
16 preceding the last day provided in Section 7-12 for the filing
17 of such petition.

18 The person circulating the petition, or the candidate on
19 whose behalf the petition is circulated, may strike any
20 signature from the petition, provided that:

21 (1) the person striking the signature shall initial the
22 petition at the place where the signature is struck; and

23 (2) the person striking the signature shall sign a
24 certification listing the page number and line number of
25 each signature struck from the petition. Such
26 certification shall be filed as a part of the petition.

1 Such sheets before being filed shall be neatly fastened
2 together in book form, by placing the sheets in a pile and
3 fastening them together at one edge in a secure and suitable
4 manner, and the sheets shall then be numbered consecutively.
5 The sheets shall not be fastened by pasting them together end
6 to end, so as to form a continuous strip or roll. All petition
7 sheets which are filed with the proper local election
8 officials, election authorities or the State Board of Elections
9 shall be the original sheets which have been signed by the
10 voters and by the circulator thereof, and not photocopies or
11 duplicates of such sheets. Each petition must include as a part
12 thereof, a statement of candidacy for each of the candidates
13 filing, or in whose behalf the petition is filed. This
14 statement shall set out the address of such candidate, the
15 office for which he is a candidate, shall state that the
16 candidate is a qualified primary voter of the party to which
17 the petition relates and is qualified for the office specified
18 (in the case of a candidate for State's Attorney it shall state
19 that the candidate is at the time of filing such statement a
20 licensed attorney-at-law of this State), shall state that he
21 has filed (or will file before the close of the petition filing
22 period) a statement of economic interests as required by the
23 Illinois Governmental Ethics Act, shall request that the
24 candidate's name be placed upon the official ballot, and shall
25 be subscribed and sworn to by such candidate before some
26 officer authorized to take acknowledgment of deeds in the State

1 and shall be in substantially the following form:

2 Statement of Candidacy

3 Name	Address	Office	District	Party
4 John Jones	102 Main St. 5 Belvidere, 6 Illinois	Governor	Statewide	Republican

7 State of Illinois)

8) ss.

9 County of)

10 I,, being first duly sworn, say that I reside at
 11 Street in the city (or village) of, in the county of,
 12 State of Illinois; that I am a qualified voter therein and am a
 13 qualified primary voter of the party; that I am a
 14 candidate for nomination (for election in the case of
 15 committeeperson and delegates and alternate delegates) to the
 16 office of to be voted upon at the primary election to be
 17 held on (insert date); that I am legally qualified (including
 18 being the holder of any license that may be an eligibility
 19 requirement for the office I seek the nomination for) to hold
 20 such office and that I have filed (or I will file before the
 21 close of the petition filing period) a statement of economic
 22 interests as required by the Illinois Governmental Ethics Act
 23 and I hereby request that my name be printed upon the official
 24 primary ballot for nomination for (or election to in the case
 25 of committeepersons and delegates and alternate delegates)

1 such office.

2 Signed

3 Subscribed and sworn to (or affirmed) before me by,
4 who is to me personally known, on (insert date).

5 Signed

6 (Official Character)

7 (Seal, if officer has one.)

8 The petitions, when filed, shall not be withdrawn or added
9 to, and no signatures shall be revoked except by revocation
10 filed in writing with the State Board of Elections, election
11 authority or local election official with whom the petition is
12 required to be filed, and before the filing of such petition.
13 Whoever forges the name of a signer upon any petition required
14 by this Article is deemed guilty of a forgery and on conviction
15 thereof shall be punished accordingly.

16 A candidate for the offices listed in this Section must
17 obtain the number of signatures specified in this Section on
18 his or her petition for nomination.

19 (a) Statewide office or delegate to a national nominating
20 convention. If a candidate seeks to run for statewide office or
21 as a delegate or alternate delegate to a national nominating
22 convention elected from the State at-large, then the
23 candidate's petition for nomination must contain at least 5,000
24 but not more than 10,000 signatures.

25 (b) Congressional office or congressional delegate to a

1 national nominating convention. If a candidate seeks to run for
2 United States Congress or as a congressional delegate or
3 alternate congressional delegate to a national nominating
4 convention elected from a congressional district, then the
5 candidate's petition for nomination must contain at least the
6 number of signatures equal to 0.5% of the qualified primary
7 electors of his or her party in his or her congressional
8 district. In the first primary election following a
9 redistricting of congressional districts, a candidate's
10 petition for nomination must contain at least 600 signatures of
11 qualified primary electors of the candidate's political party
12 in his or her congressional district.

13 (c) County office. If a candidate seeks to run for any
14 countywide office, including but not limited to county board
15 chairperson or county board member, elected on an at-large
16 basis, in a county other than Cook County, then the candidate's
17 petition for nomination must contain at least the number of
18 signatures equal to 0.5% of the qualified electors of his or
19 her party who cast votes at the last preceding general election
20 in his or her county. If a candidate seeks to run for county
21 board member elected from a county board district, then the
22 candidate's petition for nomination must contain at least the
23 number of signatures equal to 0.5% of the qualified primary
24 electors of his or her party in the county board district. In
25 the first primary election following a redistricting of county
26 board districts or the initial establishment of county board

1 districts, a candidate's petition for nomination must contain
2 at least the number of signatures equal to 0.5% of the
3 qualified electors of his or her party in the entire county who
4 cast votes at the last preceding general election divided by
5 the total number of county board districts comprising the
6 county board; provided that in no event shall the number of
7 signatures be less than 25.

8 (d) County office; Cook County only.

9 (1) If a candidate seeks to run for countywide office
10 in Cook County, then the candidate's petition for
11 nomination must contain at least the number of signatures
12 equal to 0.5% of the qualified electors of his or her party
13 who cast votes at the last preceding general election in
14 Cook County.

15 (2) If a candidate seeks to run for Cook County Board
16 Commissioner, then the candidate's petition for nomination
17 must contain at least the number of signatures equal to
18 0.5% of the qualified primary electors of his or her party
19 in his or her county board district. In the first primary
20 election following a redistricting of Cook County Board of
21 Commissioners districts, a candidate's petition for
22 nomination must contain at least the number of signatures
23 equal to 0.5% of the qualified electors of his or her party
24 in the entire county who cast votes at the last preceding
25 general election divided by the total number of county
26 board districts comprising the county board; provided that

1 in no event shall the number of signatures be less than 25.

2 (3) If a candidate seeks to run for Cook County Board
3 of Review Commissioner, which is elected from a district
4 pursuant to subsection (c) of Section 5-5 of the Property
5 Tax Code, then the candidate's petition for nomination must
6 contain at least the number of signatures equal to 0.5% of
7 the total number of registered voters in his or her board
8 of review district in the last general election at which a
9 commissioner was regularly scheduled to be elected from
10 that board of review district. In no event shall the number
11 of signatures required be greater than the requisite number
12 for a candidate who seeks countywide office in Cook County
13 under subsection (d)(1) of this Section. In the first
14 primary election following a redistricting of Cook County
15 Board of Review districts, a candidate's petition for
16 nomination must contain at least 4,000 signatures or at
17 least the number of signatures required for a countywide
18 candidate in Cook County, whichever is less, of the
19 qualified electors of his or her party in the district.

20 (e) Municipal or township office. If a candidate seeks to
21 run for municipal or township office, then the candidate's
22 petition for nomination must contain at least the number of
23 signatures equal to 0.5% of the qualified primary electors of
24 his or her party in the municipality or township. If a
25 candidate seeks to run for alderperson ~~alderman~~ of a
26 municipality, then the candidate's petition for nomination

1 must contain at least the number of signatures equal to 0.5% of
2 the qualified primary electors of his or her party of the ward.
3 In the first primary election following redistricting of
4 ~~aldermanic~~ wards or trustee districts of a municipality or the
5 initial establishment of wards or districts, a candidate's
6 petition for nomination must contain the number of signatures
7 equal to at least 0.5% of the total number of votes cast for
8 the candidate of that political party who received the highest
9 number of votes in the entire municipality at the last regular
10 election at which an officer was regularly scheduled to be
11 elected from the entire municipality, divided by the number of
12 wards or districts. In no event shall the number of signatures
13 be less than 25.

14 (f) State central committeeperson. If a candidate seeks to
15 run for State central committeeperson, then the candidate's
16 petition for nomination must contain at least 100 signatures of
17 the primary electors of his or her party of his or her
18 congressional district.

19 (g) Sanitary district trustee. If a candidate seeks to run
20 for trustee of a sanitary district in which trustees are not
21 elected from wards, then the candidate's petition for
22 nomination must contain at least the number of signatures equal
23 to 0.5% of the primary electors of his or her party from the
24 sanitary district. If a candidate seeks to run for trustee of a
25 sanitary district in which trustees are elected from wards,
26 then the candidate's petition for nomination must contain at

1 least the number of signatures equal to 0.5% of the primary
2 electors of his or her party in the ward of that sanitary
3 district. In the first primary election following
4 redistricting of sanitary districts elected from wards, a
5 candidate's petition for nomination must contain at least the
6 signatures of 150 qualified primary electors of his or her ward
7 of that sanitary district.

8 (h) Judicial office. If a candidate seeks to run for
9 judicial office in a district, then the candidate's petition
10 for nomination must contain the number of signatures equal to
11 0.4% of the number of votes cast in that district for the
12 candidate for his or her political party for the office of
13 Governor at the last general election at which a Governor was
14 elected, but in no event less than 500 signatures. If a
15 candidate seeks to run for judicial office in a circuit or
16 subcircuit, then the candidate's petition for nomination must
17 contain the number of signatures equal to 0.25% of the number
18 of votes cast for the judicial candidate of his or her
19 political party who received the highest number of votes at the
20 last general election at which a judicial officer from the same
21 circuit or subcircuit was regularly scheduled to be elected,
22 but in no event less than 1,000 signatures in circuits and
23 subcircuits located in the First Judicial District or 500
24 signatures in every other Judicial District.

25 (i) Precinct, ward, and township committeeperson. If a
26 candidate seeks to run for precinct committeeperson, then the

1 candidate's petition for nomination must contain at least 10
2 signatures of the primary electors of his or her party for the
3 precinct. If a candidate seeks to run for ward committeeperson,
4 then the candidate's petition for nomination must contain no
5 less than the number of signatures equal to 10% of the primary
6 electors of his or her party of the ward, but no more than 16%
7 of those same electors; provided that the maximum number of
8 signatures may be 50 more than the minimum number, whichever is
9 greater. If a candidate seeks to run for township
10 committeeperson, then the candidate's petition for nomination
11 must contain no less than the number of signatures equal to 5%
12 of the primary electors of his or her party of the township,
13 but no more than 8% of those same electors; provided that the
14 maximum number of signatures may be 50 more than the minimum
15 number, whichever is greater.

16 (j) State's attorney or regional superintendent of schools
17 for multiple counties. If a candidate seeks to run for State's
18 attorney or regional Superintendent of Schools who serves more
19 than one county, then the candidate's petition for nomination
20 must contain at least the number of signatures equal to 0.5% of
21 the primary electors of his or her party in the territory
22 comprising the counties.

23 (k) Any other office. If a candidate seeks any other
24 office, then the candidate's petition for nomination must
25 contain at least the number of signatures equal to 0.5% of the
26 registered voters of the political subdivision, district, or

1 division for which the nomination is made or 25 signatures,
2 whichever is greater.

3 For purposes of this Section the number of primary electors
4 shall be determined by taking the total vote cast, in the
5 applicable district, for the candidate for that political party
6 who received the highest number of votes, statewide, at the
7 last general election in the State at which electors for
8 President of the United States were elected. For political
9 subdivisions, the number of primary electors shall be
10 determined by taking the total vote cast for the candidate for
11 that political party who received the highest number of votes
12 in the political subdivision at the last regular election at
13 which an officer was regularly scheduled to be elected from
14 that subdivision. For wards or districts of political
15 subdivisions, the number of primary electors shall be
16 determined by taking the total vote cast for the candidate for
17 that political party who received the highest number of votes
18 in the ward or district at the last regular election at which
19 an officer was regularly scheduled to be elected from that ward
20 or district.

21 A "qualified primary elector" of a party may not sign
22 petitions for or be a candidate in the primary of more than one
23 party.

24 The changes made to this Section of this amendatory Act of
25 the 93rd General Assembly are declarative of existing law,
26 except for item (3) of subsection (d).

1 Petitions of candidates for nomination for offices herein
2 specified, to be filed with the same officer, may contain the
3 names of 2 or more candidates of the same political party for
4 the same or different offices. In the case of the offices of
5 Governor and Lieutenant Governor, a joint petition including
6 one candidate for each of those offices must be filed.

7 (Source: P.A. 100-1027, eff. 1-1-19.)

8 (10 ILCS 5/10-3) (from Ch. 46, par. 10-3)

9 Sec. 10-3. Nomination of independent candidates (not
10 candidates of any political party), for any office to be filled
11 by the voters of the State at large may also be made by
12 nomination papers signed in the aggregate for each candidate by
13 1% of the number of voters who voted in the next preceding
14 Statewide general election or 25,000 qualified voters of the
15 State, whichever is less. Nominations of independent
16 candidates for public office within any district or political
17 subdivision less than the State, may be made by nomination
18 papers signed in the aggregate for each candidate by qualified
19 voters of such district, or political subdivision, equaling not
20 less than 5%, nor more than 8% (or 50 more than the minimum,
21 whichever is greater) of the number of persons, who voted at
22 the next preceding regular election in such district or
23 political subdivision in which such district or political
24 subdivision voted as a unit for the election of officers to
25 serve its respective territorial area. However, whenever the

1 minimum signature requirement for an independent candidate
2 petition for a district or political subdivision office shall
3 exceed the minimum number of signatures for an independent
4 candidate petition for an office to be filled by the voters of
5 the State at large at the next preceding State-wide general
6 election, such State-wide petition signature requirement shall
7 be the minimum for an independent candidate petition for such
8 district or political subdivision office. For the first
9 election following a redistricting of congressional districts,
10 nomination papers for an independent candidate for
11 congressperson ~~congressman~~ shall be signed by at least 5,000
12 qualified voters of the congressional district. For the first
13 election following a redistricting of legislative districts,
14 nomination papers for an independent candidate for State
15 Senator in the General Assembly shall be signed by at least
16 3,000 qualified voters of the legislative district. For the
17 first election following a redistricting of representative
18 districts, nomination papers for an independent candidate for
19 State Representative in the General Assembly shall be signed by
20 at least 1,500 qualified voters of the representative district.
21 For the first election following redistricting of county board
22 districts, or of municipal wards or districts, or for the first
23 election following the initial establishment of such districts
24 or wards in a county or municipality, nomination papers for an
25 independent candidate for county board member, or for
26 alderperson ~~alderman~~ or trustee of such municipality, shall be

1 signed by qualified voters of the district or ward equal to not
2 less than 5% nor more than 8% (or 50 more than the minimum,
3 whichever is greater) of the total number of votes cast at the
4 preceding general or general municipal election, as the case
5 may be, for the county or municipal office voted on throughout
6 such county or municipality for which the greatest total number
7 of votes were cast for all candidates, divided by the number of
8 districts or wards, but in any event not less than 25 qualified
9 voters of the district or ward. Each voter signing a nomination
10 paper shall add to his signature his place of residence, and
11 each voter may subscribe to one nomination for such office to
12 be filled, and no more: Provided that the name of any candidate
13 whose name may appear in any other place upon the ballot shall
14 not be so added by petition for the same office.

15 The person circulating the petition, or the candidate on
16 whose behalf the petition is circulated, may strike any
17 signature from the petition, provided that;

18 (1) the person striking the signature shall initial the
19 petition at the place where the signature is struck; and

20 (2) the person striking the signature shall sign a
21 certification listing the page number and line number of
22 each signature struck from the petition. Such
23 certification shall be filed as a part of the petition.

24 (3) the persons striking signatures from the petition
25 shall each sign an additional certificate specifying the
26 number of certification pages listing stricken signatures

1 which are attached to the petition and the page numbers
2 indicated on such certifications. The certificate shall be
3 filed as a part of the petition, shall be numbered, and
4 shall be attached immediately following the last page of
5 voters' signatures and before the certifications of
6 stricken signatures.

7 (4) all of the foregoing requirements shall be
8 necessary to effect a valid striking of any signature. The
9 provisions of this Section authorizing the striking of
10 signatures shall not impose any criminal liability on any
11 person so authorized for signatures which may be
12 fraudulent.

13 In the case of the offices of Governor and Lieutenant
14 Governor a joint petition including one candidate for each of
15 those offices must be filed.

16 A candidate for whom a nomination paper has been filed as a
17 partisan candidate at a primary election, and who is defeated
18 for his or her nomination at the primary election, is
19 ineligible to be placed on the ballot as an independent
20 candidate for election in that general or consolidated
21 election.

22 A candidate seeking election to an office for which
23 candidates of political parties are nominated by caucus who is
24 a participant in the caucus and who is defeated for his or her
25 nomination at such caucus, is ineligible to be listed on the
26 ballot at that general or consolidated election as an

1 independent candidate.

2 (Source: P.A. 95-699, eff. 11-9-07.)

3 (10 ILCS 5/23-6.1) (from Ch. 46, par. 23-6.1)

4 Sec. 23-6.1. Whenever an election contest for a municipal
5 trustee or alderperson ~~alderman~~ is brought involving ballots
6 from the same precincts which are subject to the jurisdiction
7 of the circuit court by virtue of the pendency of an election
8 contest for another office, the municipal council or board of
9 trustees having jurisdiction of the municipal election contest
10 shall have priority of access and possession of the ballots and
11 other election materials for the purpose of conducting a
12 recount or other related proceedings for a period of 30 days
13 following the commencement of the municipal election contest.
14 The election authority shall notify the court and the municipal
15 council or board of the pendency of all other contests relating
16 to the same precincts.

17 (Source: P.A. 90-655, eff. 7-30-98.)

18 Section 10. The Illinois Pension Code is amended by
19 changing Sections 6-230, 7-109, 8-113, 8-232, 8-243, and
20 8-243.2 as follows:

21 (40 ILCS 5/6-230)

22 Sec. 6-230. Participation by an alderperson ~~alderman~~ or
23 member of city council.

1 (a) A person shall be a member under this Article if he or
2 she (1) is or was employed and receiving a salary as a fireman
3 under item (a) of Section 6-106, (2) has at least 5 years of
4 service under this Article, (3) is employed in a position
5 covered under Section 8-243, (4) made an election under Article
6 8 to not receive service credit or be a participant under that
7 Article, and (5) made an election to participate under this
8 Article.

9 (b) For the purposes of determining employee and employer
10 contributions under this Article, the employee and employer
11 shall be responsible for any and all contributions otherwise
12 required if the person was employed and receiving salary as a
13 fireman under item (a) of Section 6-106.

14 (Source: P.A. 100-1144, eff. 11-28-18.)

15 (40 ILCS 5/7-109) (from Ch. 108 1/2, par. 7-109)

16 Sec. 7-109. Employee.

17 (1) "Employee" means any person who:

18 (a) 1. Receives earnings as payment for the performance
19 of personal services or official duties out of the general
20 fund of a municipality, or out of any special fund or funds
21 controlled by a municipality, or by an instrumentality
22 thereof, or a participating instrumentality, including, in
23 counties, the fees or earnings of any county fee office;
24 and

25 2. Under the usual common law rules applicable in

1 determining the employer-employee relationship, has the
2 status of an employee with a municipality, or any
3 instrumentality thereof, or a participating
4 instrumentality, including alderpersons ~~aldermen~~, county
5 supervisors and other persons (excepting those employed as
6 independent contractors) who are paid compensation, fees,
7 allowances or other emolument for official duties, and, in
8 counties, the several county fee offices.

9 (b) Serves as a township treasurer appointed under the
10 School Code, as heretofore or hereafter amended, and who
11 receives for such services regular compensation as
12 distinguished from per diem compensation, and any regular
13 employee in the office of any township treasurer whether or
14 not his earnings are paid from the income of the permanent
15 township fund or from funds subject to distribution to the
16 several school districts and parts of school districts as
17 provided in the School Code, or from both such sources; or
18 is the chief executive officer, chief educational officer,
19 chief fiscal officer, or other employee of a Financial
20 Oversight Panel established pursuant to Article 1H of the
21 School Code, other than a superintendent or certified
22 school business official, except that such person shall not
23 be treated as an employee under this Section if that person
24 has negotiated with the Financial Oversight Panel, in
25 conjunction with the school district, a contractual
26 agreement for exclusion from this Section.

1 (c) Holds an elective office in a municipality,
2 instrumentality thereof or participating instrumentality.

3 (2) "Employee" does not include persons who:

4 (a) Are eligible for inclusion under any of the
5 following laws:

6 1. "An Act in relation to an Illinois State
7 Teachers' Pension and Retirement Fund", approved May
8 27, 1915, as amended;

9 2. Articles 15 and 16 of this Code.

10 However, such persons shall be included as employees to
11 the extent of earnings that are not eligible for inclusion
12 under the foregoing laws for services not of an
13 instructional nature of any kind.

14 However, any member of the armed forces who is employed
15 as a teacher of subjects in the Reserve Officers Training
16 Corps of any school and who is not certified under the law
17 governing the certification of teachers shall be included
18 as an employee.

19 (b) Are designated by the governing body of a
20 municipality in which a pension fund is required by law to
21 be established for policemen or firemen, respectively, as
22 performing police or fire protection duties, except that
23 when such persons are the heads of the police or fire
24 department and are not eligible to be included within any
25 such pension fund, they shall be included within this
26 Article; provided, that such persons shall not be excluded

1 to the extent of concurrent service and earnings not
2 designated as being for police or fire protection duties.
3 However, (i) any head of a police department who was a
4 participant under this Article immediately before October
5 1, 1977 and did not elect, under Section 3-109 of this Act,
6 to participate in a police pension fund shall be an
7 "employee", and (ii) any chief of police who became a
8 participating employee under this Article before January
9 1, 2019 and who elects to participate in this Fund under
10 Section 3-109.1 of this Code, regardless of whether such
11 person continues to be employed as chief of police or is
12 employed in some other rank or capacity within the police
13 department, shall be an employee under this Article for so
14 long as such person is employed to perform police duties by
15 a participating municipality and has not lawfully
16 rescinded that election.

17 (b-5) Were not participating employees under this
18 Article before the effective date of this amendatory Act of
19 the 100th General Assembly and participated as a chief of
20 police in a fund under Article 3 and return to work in any
21 capacity with the police department, with any oversight of
22 the police department, or in an advisory capacity for the
23 police department with the same municipality with which
24 that pension was earned, regardless of whether they are
25 considered an employee of the police department or are
26 eligible for inclusion in the municipality's Article 3

1 fund.

2 (c) Are contributors to or eligible to contribute to a
3 Taft-Hartley pension plan to which the participating
4 municipality is required to contribute as the person's
5 employer based on earnings from the municipality. Nothing
6 in this paragraph shall affect service credit or creditable
7 service for any period of service prior to the effective
8 date of this amendatory Act of the 98th General Assembly,
9 and this paragraph shall not apply to individuals who are
10 participating in the Fund prior to the effective date of
11 this amendatory Act of the 98th General Assembly.

12 (d) Become an employee of any of the following
13 participating instrumentalities on or after the effective
14 date of this amendatory Act of the 99th General Assembly:
15 the Illinois Municipal League; the Illinois Association of
16 Park Districts; the Illinois Supervisors, County
17 Commissioners and Superintendents of Highways Association;
18 an association, or not-for-profit corporation, membership
19 in which is authorized under Section 85-15 of the Township
20 Code; the United Counties Council; or the Will County
21 Governmental League.

22 (3) All persons, including, without limitation, public
23 defenders and probation officers, who receive earnings from
24 general or special funds of a county for performance of
25 personal services or official duties within the territorial
26 limits of the county, are employees of the county (unless

1 excluded by subsection (2) of this Section) notwithstanding
2 that they may be appointed by and are subject to the direction
3 of a person or persons other than a county board or a county
4 officer. It is hereby established that an employer-employee
5 relationship under the usual common law rules exists between
6 such employees and the county paying their salaries by reason
7 of the fact that the county boards fix their rates of
8 compensation, appropriate funds for payment of their earnings
9 and otherwise exercise control over them. This finding and this
10 amendatory Act shall apply to all such employees from the date
11 of appointment whether such date is prior to or after the
12 effective date of this amendatory Act and is intended to
13 clarify existing law pertaining to their status as
14 participating employees in the Fund.

15 (Source: P.A. 99-830, eff. 1-1-17; 100-281, eff. 8-24-17;
16 100-1097, eff. 8-26-18.)

17 (40 ILCS 5/8-113) (from Ch. 108 1/2, par. 8-113)

18 Sec. 8-113. Municipal employee, employee, contributor, or
19 participant. "Municipal employee", "employee", "contributor",
20 or "participant":

21 (a) Any employee of an employer employed in the classified
22 civil service thereof other than by temporary appointment or in
23 a position excluded or exempt from the classified service by
24 the Civil Service Act, or in the case of a city operating under
25 a personnel ordinance, any employee of an employer employed in

1 the classified or career service under the provisions of a
2 personnel ordinance, other than in a provisional or exempt
3 position as specified in such ordinance or in rules and
4 regulations formulated thereunder.

5 (b) Any employee in the service of an employer before the
6 Civil Service Act came in effect for the employer.

7 (c) Any person employed by the board.

8 (d) Any person employed after December 31, 1949, but prior
9 to January 1, 1984, in the service of the employer by temporary
10 appointment or in a position exempt from the classified service
11 as set forth in the Civil Service Act, or in a provisional or
12 exempt position as specified in the personnel ordinance, who
13 meets the following qualifications:

14 (1) has rendered service during not less than 12
15 calendar months to an employer as an employee, officer, or
16 official, 4 months of which must have been consecutive full
17 normal working months of service rendered immediately
18 prior to filing application to be included; and

19 (2) files written application with the board, while in
20 the service, to be included hereunder.

21 (e) After December 31, 1949, any alderperson ~~alderman~~ or
22 other officer or official of the employer, who files, while in
23 office, written application with the board to be included
24 hereunder.

25 (f) Beginning January 1, 1984, any person employed by an
26 employer other than the Chicago Housing Authority or the Public

1 Building Commission of the city, whether or not such person is
2 serving by temporary appointment or in a position exempt from
3 the classified service as set forth in the Civil Service Act,
4 or in a provisional or exempt position as specified in the
5 personnel ordinance, provided that such person is neither (1)
6 an alderperson ~~alderman~~ or other officer or official of the
7 employer, nor (2) participating, on the basis of such
8 employment, in any other pension fund or retirement system
9 established under this Act.

10 (g) After December 31, 1959, any person employed in the law
11 department of the city, or municipal court or Board of Election
12 Commissioners of the city, who was a contributor and
13 participant, on December 31, 1959, in the annuity and benefit
14 fund in operation in the city on said date, by virtue of the
15 Court and Law Department Employees' Annuity Act or the Board of
16 Election Commissioners Employees' Annuity Act.

17 After December 31, 1959, the foregoing definition includes
18 any other person employed or to be employed in the law
19 department, or municipal court (other than as a judge), or
20 Board of Election Commissioners (if his salary is provided by
21 appropriation of the city council of the city and his salary
22 paid by the city) -- subject, however, in the case of such
23 persons not participants on December 31, 1959, to compliance
24 with the same qualifications and restrictions otherwise set
25 forth in this Section and made generally applicable to
26 employees or officers of the city concerning eligibility for

1 participation or membership.

2 Notwithstanding any other provision in this Section, any
3 person who first becomes employed in the law department of the
4 city on or after the effective date of this amendatory Act of
5 the 100th General Assembly shall be included within the
6 foregoing definition, effective upon the date the person first
7 becomes so employed, regardless of the nature of the
8 appointment the person holds under the provisions of a
9 personnel ordinance.

10 (h) After December 31, 1965, any person employed in the
11 public library of the city -- and any other person -- who was a
12 contributor and participant, on December 31, 1965, in the
13 pension fund in operation in the city on said date, by virtue
14 of the Public Library Employees' Pension Act.

15 (i) After December 31, 1968, any person employed in the
16 house of correction of the city, who was a contributor and
17 participant, on December 31, 1968, in the pension fund in
18 operation in the city on said date, by virtue of the House of
19 Correction Employees' Pension Act.

20 (j) Any person employed full-time on or after the effective
21 date of this amendatory Act of the 92nd General Assembly by the
22 Chicago Housing Authority who has elected to participate in
23 this Fund as provided in subsection (a) of Section 8-230.9.

24 (k) Any person employed full-time by the Public Building
25 Commission of the city who has elected to participate in this
26 Fund as provided in subsection (d) of Section 8-230.7.

1 (Source: P.A. 100-23, eff. 7-6-17.)

2 (40 ILCS 5/8-232) (from Ch. 108 1/2, par. 8-232)

3 Sec. 8-232. Basis of service credit.

4 (a) In computing the period of service of any employee for
5 the minimum annuity under Section 8-138, the following
6 provisions shall govern:

7 (1) All periods prior to the effective date shall be
8 computed in accordance with the provisions of Section
9 8-226, except for a re-entrant or future entrant who was
10 not in service on the day before the effective date.

11 (2) Service subsequent to the day before the effective
12 date, shall include: the actual period of time the employee
13 performs the duties of his position and makes required
14 contributions or performs such duties and is given a city
15 contribution for age and service annuity purposes; leaves
16 of absence from duty, or vacation, for which an employee
17 receives all or part of his salary; periods included under
18 item (c) of Section 8-226; periods during which the
19 employee is temporarily assigned to another position in the
20 service and permitted to make contributions to the fund;
21 periods during which the employee has had contributions for
22 annuity purposes made for him in accordance with law while
23 on military leave of absence during World War II; periods
24 during which the employee receives disability benefit
25 under this Article, or a temporary total disability benefit

1 under the Workers' Compensation Act if the disability
2 results from a condition commonly termed heart attack or
3 stroke or any other condition falling within the broad
4 field of coronary involvement or heart disease;

5 (3) Service during 6 or more months in any year shall
6 constitute a year of service, and service of less than 6
7 months but at least 1 month in any year shall constitute a
8 half year of service. However the right to have certain
9 periods of time considered as service as stated in
10 paragraph 2 of Section 8-168 or in Section 8-243 relating
11 to service as Aldersperson ~~Alderman~~ shall not apply for
12 minimum annuity purposes under Section 8-138 of this
13 Article.

14 (b) For all other purposes of this Article, the following
15 schedule shall govern the computation of service of an employee
16 whose salary or wages is on the basis stated, and any
17 fractional part of a year of service shall be determined
18 according to said schedule:

19 Annual or Monthly basis: Service during 4 months in any 1
20 calendar year shall constitute a year of service.

21 Weekly basis: Service during any week shall constitute a
22 week of service and service during any 17 weeks in any 1
23 calendar year shall constitute a year of service.

24 Daily basis: Service during any day shall constitute a day
25 of service and service during 100 days in any 1 calendar year
26 shall constitute a year of service.

1 Hourly basis: Service during any hour shall constitute an
2 hour of service and service during 700 hours in any 1 calendar
3 year shall constitute a year of service.

4 (Source: P.A. 85-964; 86-1488.)

5 (40 ILCS 5/8-243) (from Ch. 108 1/2, par. 8-243)

6 Sec. 8-243. Service as alderperson ~~alderman~~ or member of
7 city council. Whenever any person has served or hereafter
8 serves as a duly elected alderperson ~~alderman~~ or member of the
9 city council of any city of more than 500,000 inhabitants and
10 is or hereafter becomes a contributing participant in any
11 pension fund or any annuity and benefit fund in existence in
12 such city by operation of law, the period of service as such
13 alderperson ~~alderman~~ or member of the city council shall be
14 counted as a period of service in computing any annuity or
15 pension which such person may become entitled to receive from
16 such fund upon separation from the service, except as ruled out
17 for minimum annuity purposes in Section 8-232(a) (3).

18 (Source: Laws 1963, p. 161.)

19 (40 ILCS 5/8-243.2) (from Ch. 108 1/2, par. 8-243.2)

20 Sec. 8-243.2. Alternative annuity for city officers.

21 (a) For the purposes of this Section and Sections 8-243.1
22 and 8-243.3, "city officer" means the city clerk, the city
23 treasurer, or an alderperson ~~alderman~~ of the city elected by
24 vote of the people, while serving in that capacity or as

1 provided in subsection (f), who has elected to participate in
2 the Fund.

3 (b) Any elected city officer, while serving in that
4 capacity or as provided in subsection (f), may elect to
5 establish alternative credits for an alternative annuity by
6 electing in writing to make additional optional contributions
7 in accordance with this Section and the procedures established
8 by the board. Such elected city officer may discontinue making
9 the additional optional contributions by notifying the Fund in
10 writing in accordance with this Section and procedures
11 established by the board.

12 Additional optional contributions for the alternative
13 annuity shall be as follows:

14 (1) For service after the option is elected, an
15 additional contribution of 3% of salary shall be
16 contributed to the Fund on the same basis and under the
17 same conditions as contributions required under Sections
18 8-174 and 8-182.

19 (2) For service before the option is elected, an
20 additional contribution of 3% of the salary for the
21 applicable period of service, plus interest at the
22 effective rate from the date of service to the date of
23 payment. All payments for past service must be paid in full
24 before credit is given. No additional optional
25 contributions may be made for any period of service for
26 which credit has been previously forfeited by acceptance of

1 a refund, unless the refund is repaid in full with interest
2 at the effective rate from the date of refund to the date
3 of repayment.

4 (c) In lieu of the retirement annuity otherwise payable
5 under this Article, any city officer elected by vote of the
6 people who (1) has elected to participate in the Fund and make
7 additional optional contributions in accordance with this
8 Section, and (2) has attained age 55 with at least 10 years of
9 service credit, or has attained age 60 with at least 8 years of
10 service credit, may elect to have his retirement annuity
11 computed as follows: 3% of the participant's salary at the time
12 of termination of service for each of the first 8 years of
13 service credit, plus 4% of such salary for each of the next 4
14 years of service credit, plus 5% of such salary for each year
15 of service credit in excess of 12 years, subject to a maximum
16 of 80% of such salary. To the extent such elected city officer
17 has made additional optional contributions with respect to only
18 a portion of his years of service credit, his retirement
19 annuity will first be determined in accordance with this
20 Section to the extent such additional optional contributions
21 were made, and then in accordance with the remaining Sections
22 of this Article to the extent of years of service credit with
23 respect to which additional optional contributions were not
24 made.

25 (d) In lieu of the disability benefits otherwise payable
26 under this Article, any city officer elected by vote of the

1 people who (1) has elected to participate in the Fund, and (2)
2 has become permanently disabled and as a consequence is unable
3 to perform the duties of his office, and (3) was making
4 optional contributions in accordance with this Section at the
5 time the disability was incurred, may elect to receive a
6 disability annuity calculated in accordance with the formula in
7 subsection (c). For the purposes of this subsection, such
8 elected city officer shall be considered permanently disabled
9 only if: (i) disability occurs while in service as an elected
10 city officer and is of such a nature as to prevent him from
11 reasonably performing the duties of his office at the time; and
12 (ii) the board has received a written certification by at least
13 2 licensed physicians appointed by it stating that such officer
14 is disabled and that the disability is likely to be permanent.

15 (e) Refunds of additional optional contributions shall be
16 made on the same basis and under the same conditions as
17 provided under Sections 8-168, 8-170 and 8-171. Interest shall
18 be credited at the effective rate on the same basis and under
19 the same conditions as for other contributions. Optional
20 contributions shall be accounted for in a separate Elected City
21 Officer Optional Contribution Reserve. Optional contributions
22 under this Section shall be included in the amount of employee
23 contributions used to compute the tax levy under Section 8-173.

24 (f) The effective date of this plan of optional alternative
25 benefits and contributions shall be July 1, 1990, or the date
26 upon which approval is received from the U.S. Internal Revenue

1 Service, whichever is later.

2 The plan of optional alternative benefits and
3 contributions shall not be available to any former city officer
4 or employee receiving an annuity from the Fund on the effective
5 date of the plan, unless he re-enters service as an elected
6 city officer and renders at least 3 years of additional service
7 after the date of re-entry. However, a person who holds office
8 as a city officer on June 1, 1995 may elect to participate in
9 the plan, to transfer credits into the Fund from other Articles
10 of this Code, and to make the contributions required for prior
11 service, until 30 days after the effective date of this
12 amendatory Act of the 92nd General Assembly, notwithstanding
13 the ending of his term of office prior to that effective date;
14 in the event that the person is already receiving an annuity
15 from this Fund or any other Article of this Code at the time of
16 making this election, the annuity shall be recalculated to
17 include any increase resulting from participation in the plan,
18 with such increase taking effect on the effective date of the
19 election.

20 (g) Notwithstanding any other provision in this Section or
21 in this Code to the contrary, any person who first becomes a
22 city officer, as defined in this Section, on or after the
23 effective date of this amendatory Act of the 100th General
24 Assembly, shall not be eligible for the alternative annuity or
25 alternative disability benefits as provided in subsections
26 (a), (b), (c), and (d) of this Section or for the alternative

1 survivor's benefits as provided in Section 8-243.3. Such person
2 shall not be eligible, or be required, to make any additional
3 contributions beyond those required of other participants
4 under Sections 8-137, 8-174, and 8-182. The retirement annuity,
5 disability benefits, and survivor's benefits for a person who
6 first becomes a city officer on or after the effective date of
7 this amendatory Act of the 100th General Assembly shall be
8 determined pursuant to the provisions otherwise provided in
9 this Article.

10 (Source: P.A. 100-23, eff. 7-6-17.)

11 Section 15. The Public Officer Prohibited Activities Act is
12 amended by changing Sections 1, 1.3, 2, and 4 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) alderperson ~~alderman~~ of a city or
20 member of the board of trustees of a village or incorporated
21 town if the city, village, or incorporated town has fewer than
22 1,000 inhabitants and is located in a county having fewer than
23 50,000 inhabitants, or (iii) trustee of a forest preserve
24 district created under Section 18.5 of the Conservation

1 District Act, unless he or she first resigns from the office of
2 county board member or unless the holding of another office is
3 authorized by law. Any such prohibited appointment or election
4 is void. This Section shall not preclude a member of the county
5 board from being appointed or selected to serve as (i) a member
6 of a County Extension Board as provided in Section 7 of the
7 County Cooperative Extension Law, (ii) a member of an Emergency
8 Telephone System Board as provided in Section 15.4 of the
9 Emergency Telephone System Act, (iii) a member of the board of
10 review as provided in Section 6-30 of the Property Tax Code, or
11 (iv) a public administrator or public guardian as provided in
12 Section 13-1 of the Probate Act of 1975. Nothing in this Act
13 shall be construed to prohibit an elected county official from
14 holding elected office in another unit of local government so
15 long as there is no contractual relationship between the county
16 and the other unit of local government. This amendatory Act of
17 1995 is declarative of existing law and is not a new enactment.
18 (Source: P.A. 100-290, eff. 8-24-17.)

19 (50 ILCS 105/1.3)

20 Sec. 1.3. Municipal board member; education office. In a
21 city, village, or incorporated town with fewer than 2,500
22 inhabitants, an alderperson ~~alderman~~ of the city or a member of
23 the board of trustees of a village or incorporated town, during
24 the term of office for which he or she is elected, may also
25 hold the office of member of the board of education, regional

1 board of school trustees, board of school directors, or board
2 of school inspectors.

3 (Source: P.A. 91-161, eff. 7-16-99.)

4 (50 ILCS 105/2) (from Ch. 102, par. 2)

5 Sec. 2. No alderperson ~~alderman~~ of any city, or member of
6 the board of trustees of any village, during the term of office
7 for which he or she is elected, may accept, be appointed to, or
8 hold any office by the appointment of the mayor or president of
9 the board of trustees, unless the alderperson ~~alderman~~ or board
10 member is granted a leave of absence from such office, or
11 unless he or she first resigns from the office of alderperson
12 ~~alderman~~ or member of the board of trustees, or unless the
13 holding of another office is authorized by law. The alderperson
14 ~~alderman~~ or board member may, however, serve as a volunteer
15 fireman and receive compensation for that service. The
16 alderperson ~~alderman~~ may also serve as a commissioner of the
17 Beardstown Regional Flood Prevention District board. Any
18 appointment in violation of this Section is void. Nothing in
19 this Act shall be construed to prohibit an elected municipal
20 official from holding elected office in another unit of local
21 government as long as there is no contractual relationship
22 between the municipality and the other unit of local
23 government. This amendatory Act of 1995 is declarative of
24 existing law and is not a new enactment.

25 (Source: P.A. 97-309, eff. 8-11-11.)

1 (50 ILCS 105/4) (from Ch. 102, par. 4)

2 Sec. 4. Any alderperson ~~alderman~~, member of a board of
3 trustees, supervisor or county commissioner, or other person
4 holding any office, either by election or appointment under the
5 laws or constitution of this state, who violates any provision
6 of the preceding sections, is guilty of a Class 4 felony and in
7 addition thereto, any office or official position held by any
8 person so convicted shall become vacant, and shall be so
9 declared as part of the judgment of court. This Section does
10 not apply to a violation of subsection (b) of Section 2a.

11 (Source: P.A. 100-868, eff. 1-1-19.)

12 Section 20. The Counties Code is amended by changing
13 Section 3-14036 as follows:

14 (55 ILCS 5/3-14036) (from Ch. 34, par. 3-14036)

15 Sec. 3-14036. Payments of political contributions to
16 public officers prohibited. No officer or employee in the
17 classified civil service of said county, or named in Section
18 3-14022, shall directly or indirectly, give or hand over to any
19 officer or employee, or to any senator or representative or
20 alderperson ~~alderman~~, councilman, or commissioner, any money
21 or other valuable thing on account of or to be applied to the
22 promotion of any party or political object whatever.

23 (Source: P.A. 86-976.)

1 Section 25. The Illinois Municipal Code is amended by
2 changing Sections 1-1-2, 2-2-9, 3.1-10-5, 3.1-10-30,
3 3.1-10-50, 3.1-10-51, 3.1-10-60, 3.1-10-65, 3.1-10-75,
4 3.1-15-5, 3.1-15-15, 3.1-15-25, 3.1-15-30, 3.1-15-35,
5 3.1-15-40, 3.1-20-10, 3.1-20-15, 3.1-20-20, 3.1-20-22,
6 3.1-20-25, 3.1-20-30, 3.1-20-35, 3.1-20-40, 3.1-20-45,
7 3.1-25-70, 3.1-25-75, 3.1-35-35, 3.1-40-5, 3.1-40-10,
8 3.1-40-15, 3.1-40-25, 3.1-40-30, 3.1-40-35, 3.1-40-40,
9 3.1-40-50, 3.1-40-55, 3.1-45-5, 3.1-45-15, 3.1-55-5, 4-1-2,
10 4-10-1, 5-1-4, 5-2-1, 5-2-2, 5-2-3, 5-2-3.1, 5-2-4, 5-2-5,
11 5-2-7, 5-2-8, 5-2-11, 5-2-12, 5-2-17, 5-2-18, 5-2-18.1,
12 5-2-18.2, 5-2-18.7, 5-2-19, 5-3-1, 5-3-3, 5-3-4, 5-3-5, 5-3-7,
13 5-3-8, 5-4-1, 5-4-3, 5-5-1, 5-5-5, 6-3-2, 6-3-3, 6-3-4, 6-3-5,
14 6-3-6, 6-3-7, 6-3-8, 6-3-9, 6-3-10, 6-4-3, 6-4-4, 6-5-1,
15 7-1-15, 7-1-39, 7-1-42, 7-2-1, 7-2-19, 7-2-28, 8-9-1, 10-1-30,
16 10-3-5, 11-13-1.1, 11-13-10, 11-13-14, 11-13-14.1, 11-80-5,
17 11-91-1, and 11-101-2 as follows:

18 (65 ILCS 5/1-1-2) (from Ch. 24, par. 1-1-2)

19 Sec. 1-1-2. Definitions. In this Code:

20 (1) "Municipal" or "municipality" means a city, village, or
21 incorporated town in the State of Illinois, but, unless the
22 context otherwise provides, "municipal" or "municipality" does
23 not include a township, town when used as the equivalent of a
24 township, incorporated town that has superseded a civil

1 township, county, school district, park district, sanitary
2 district, or any other similar governmental district. If
3 "municipal" or "municipality" is given a different definition
4 in any particular Division or Section of this Act, that
5 definition shall control in that division or Section only.

6 (2) "Corporate authorities" means (a) the mayor and
7 alderpersons ~~aldermen~~ or similar body when the reference is to
8 cities, (b) the president and trustees or similar body when the
9 reference is to villages or incorporated towns, and (c) the
10 council when the reference is to municipalities under the
11 commission form of municipal government.

12 (3) "Electors" means persons qualified to vote for elective
13 officers at municipal elections.

14 (4) "Person" means any individual, partnership,
15 corporation, joint stock association, or the State of Illinois
16 or any subdivision of the State; and includes any trustee,
17 receiver, assignee, or personal representative of any of those
18 entities.

19 (5) Except as otherwise provided by ordinance, "fiscal
20 year" in all municipalities with fewer than 500,000
21 inhabitants, and "municipal year" in all municipalities, means
22 the period elapsing (a) between general municipal elections in
23 succeeding calendar years, or (b) if general municipal
24 elections are held biennially, then between a general municipal
25 election and the same day of the same month of the following
26 calendar year, and between that day and the next succeeding

1 general municipal election, or (c) if general municipal
2 elections are held quadrennially, then between a general
3 municipal election and the same day of the same month of the
4 following calendar year, and between that day and the same day
5 of the same month of the next following calendar year, and
6 between the last mentioned day and the same day of the same
7 month of the next following calendar year, and between the last
8 mentioned day and the next succeeding general municipal
9 election. The fiscal year of each municipality with 500,000 or
10 more inhabitants shall commence on January 1.

11 (6) Where reference is made to a county within which a
12 municipality, district, area, or territory is situated, the
13 reference is to the county within which is situated the major
14 part of the area of that municipality, district, area, or
15 territory, in case the municipality, district, area, or
16 territory is situated in 2 or more counties.

17 (7) Where reference is made for any purpose to any other
18 Act, either specifically or generally, the reference shall be
19 to that Act and to all amendments to that Act now in force or
20 that may be hereafter enacted.

21 (8) Wherever the words "city council", "alderpersons
22 ~~aldermen~~", "commissioners", or "mayor" occur, the provisions
23 containing these words shall apply to the board of trustees,
24 trustees, and president, respectively, of villages and
25 incorporated towns and councilmen in cities, so far as those
26 provisions are applicable to them.

1 (9) The terms "special charter" and "special Act" are
2 synonymous.

3 (10) "General municipal election" means the biennial
4 regularly scheduled election for the election of officers of
5 cities, villages, and incorporated towns, as prescribed by the
6 general election law; in the case of municipalities that elect
7 officers annually, "general municipal election" means each
8 regularly scheduled election for the election of officers of
9 cities, villages, and incorporated towns.
10 (Source: P.A. 87-1119.)

11 (65 ILCS 5/2-2-9) (from Ch. 24, par. 2-2-9)
12 Sec. 2-2-9. The election for city officers in any
13 incorporated town or village which has voted to incorporate as
14 a city shall be held at the time of the next regularly
15 scheduled election for officers, in accordance with the general
16 election law. The corporate authorities of such incorporated
17 town or village shall cause the result to be entered upon the
18 records of the city. Alderpersons ~~Aldermen~~ may be elected on a
19 general ticket at the election.
20 (Source: P.A. 81-1490.)

21 (65 ILCS 5/3.1-10-5) (from Ch. 24, par. 3.1-10-5)
22 Sec. 3.1-10-5. Qualifications; elective office.
23 (a) A person is not eligible for an elective municipal
24 office unless that person is a qualified elector of the

1 municipality and has resided in the municipality at least one
2 year next preceding the election or appointment, except as
3 provided in Section 3.1-20-25, subsection (b) of Section
4 3.1-25-75, Section 5-2-2, or Section 5-2-11.

5 (b) A person is not eligible to take the oath of office for
6 a municipal office if that person is, at the time required for
7 taking the oath of office, in arrears in the payment of a tax
8 or other indebtedness due to the municipality or has been
9 convicted in any court located in the United States of any
10 infamous crime, bribery, perjury, or other felony.

11 (b-5) (Blank).

12 (c) A person is not eligible for the office of alderperson
13 ~~alderman~~ of a ward unless that person has resided in the ward
14 that the person seeks to represent, and a person is not
15 eligible for the office of trustee of a district unless that
16 person has resided in the municipality, at least one year next
17 preceding the election or appointment, except as provided in
18 Section 3.1-20-25, subsection (b) of Section 3.1-25-75,
19 Section 5-2-2, or Section 5-2-11.

20 (d) If a person (i) is a resident of a municipality
21 immediately prior to the active duty military service of that
22 person or that person's spouse, (ii) resides anywhere outside
23 of the municipality during that active duty military service,
24 and (iii) immediately upon completion of that active duty
25 military service is again a resident of the municipality, then
26 the time during which the person resides outside the

1 municipality during the active duty military service is deemed
2 to be time during which the person is a resident of the
3 municipality for purposes of determining the residency
4 requirement under subsection (a).

5 (Source: P.A. 98-115, eff. 7-29-13; 99-449, eff. 8-24-15.)

6 (65 ILCS 5/3.1-10-30) (from Ch. 24, par. 3.1-10-30)

7 Sec. 3.1-10-30. Bond. Before entering upon the duties of
8 their respective offices, all municipal officers, except
9 alderpersons ~~aldermen~~ and trustees, shall execute a bond with
10 security, to be approved by the corporate authorities. The bond
11 shall be payable to the municipality in the penal sum directed
12 by resolution or ordinance, conditioned upon the faithful
13 performance of the duties of the office and the payment of all
14 money received by the officer, according to law and the
15 ordinances of that municipality. The bond may provide that the
16 obligation of the sureties shall not extend to any loss
17 sustained by the insolvency, failure, or closing of any bank or
18 savings and loan association organized and operating either
19 under the laws of the State of Illinois or the United States in
20 which the officer has placed funds in the officer's custody, if
21 the bank or savings and loan association has been approved by
22 the corporate authorities as a depository for those funds. In
23 no case, however, shall the mayor's bond be fixed at less than
24 \$3,000. The treasurer's bond shall be an amount of money that
25 is not less than 3 times the latest Federal census population

1 or any subsequent census figure used for Motor Fuel Tax
2 purposes. Bonds shall be filed with the municipal clerk, except
3 the bond of the clerk, which shall be filed with the municipal
4 treasurer.

5 (Source: P.A. 87-1119.)

6 (65 ILCS 5/3.1-10-50)

7 Sec. 3.1-10-50. Events upon which an elective office
8 becomes vacant in municipality with population under 500,000.

9 (a) Vacancy by resignation. A resignation is not effective
10 unless it is in writing, signed by the person holding the
11 elective office, and notarized.

12 (1) Unconditional resignation. An unconditional
13 resignation by a person holding the elective office may
14 specify a future date, not later than 60 days after the
15 date the resignation is received by the officer authorized
16 to fill the vacancy, at which time it becomes operative,
17 but the resignation may not be withdrawn after it is
18 received by the officer authorized to fill the vacancy. The
19 effective date of a resignation that does not specify a
20 future date at which it becomes operative is the date the
21 resignation is received by the officer authorized to fill
22 the vacancy. The effective date of a resignation that has a
23 specified future effective date is that specified future
24 date or the date the resignation is received by the officer
25 authorized to fill the vacancy, whichever date occurs

1 later.

2 (2) Conditional resignation. A resignation that does
3 not become effective unless a specified event occurs can be
4 withdrawn at any time prior to the occurrence of the
5 specified event, but if not withdrawn, the effective date
6 of the resignation is the date of the occurrence of the
7 specified event or the date the resignation is received by
8 the officer authorized to fill the vacancy, whichever date
9 occurs later.

10 (3) Vacancy upon the effective date. For the purpose of
11 determining the time period that would require an election
12 to fill the vacancy by resignation or the commencement of
13 the 60-day time period referred to in subsection (e), the
14 resignation of an elected officer is deemed to have created
15 a vacancy as of the effective date of the resignation.

16 (4) Duty of the clerk. If a resignation is delivered to
17 the clerk of the municipality, the clerk shall forward a
18 certified copy of the written resignation to the official
19 who is authorized to fill the vacancy within 7 business
20 days after receipt of the resignation.

21 (b) Vacancy by death or disability. A vacancy occurs in an
22 office by reason of the death of the incumbent. The date of the
23 death may be established by the date shown on the death
24 certificate. A vacancy occurs in an office by permanent
25 physical or mental disability rendering the person incapable of
26 performing the duties of the office. The corporate authorities

1 have the authority to make the determination whether an officer
2 is incapable of performing the duties of the office because of
3 a permanent physical or mental disability. A finding of mental
4 disability shall not be made prior to the appointment by a
5 court of a guardian ad litem for the officer or until a duly
6 licensed doctor certifies, in writing, that the officer is
7 mentally impaired to the extent that the officer is unable to
8 effectively perform the duties of the office. If the corporate
9 authorities find that an officer is incapable of performing the
10 duties of the office due to permanent physical or mental
11 disability, that person is removed from the office and the
12 vacancy of the office occurs on the date of the determination.

13 (c) Vacancy by other causes.

14 (1) Abandonment and other causes. A vacancy occurs in
15 an office by reason of abandonment of office; removal from
16 office; or failure to qualify; or more than temporary
17 removal of residence from the municipality; or in the case
18 of an alderperson ~~alderman~~ of a ward or councilman or
19 trustee of a district, more than temporary removal of
20 residence from the ward or district, as the case may be.
21 The corporate authorities have the authority to determine
22 whether a vacancy under this subsection has occurred. If
23 the corporate authorities determine that a vacancy exists,
24 the office is deemed vacant as of the date of that
25 determination for all purposes including the calculation
26 under subsections (e), (f), and (g).

1 (2) Guilty of a criminal offense. An admission of guilt
2 of a criminal offense that upon conviction would disqualify
3 the municipal officer from holding the office, in the form
4 of a written agreement with State or federal prosecutors to
5 plead guilty to a felony, bribery, perjury, or other
6 infamous crime under State or federal law, constitutes a
7 resignation from that office, effective on the date the
8 plea agreement is made. For purposes of this Section, a
9 conviction for an offense that disqualifies a municipal
10 officer from holding that office occurs on the date of the
11 return of a guilty verdict or, in the case of a trial by
12 the court, on the entry of a finding of guilt.

13 (3) Election declared void. A vacancy occurs on the
14 date of the decision of a competent tribunal declaring the
15 election of the officer void.

16 (4) Owing a debt to the municipality. A vacancy occurs
17 if a municipal official fails to pay a debt to a
18 municipality in which the official has been elected or
19 appointed to an elected position subject to the following:

20 (A) Before a vacancy may occur under this paragraph

21 (4), the municipal clerk shall deliver, by personal
22 service, a written notice to the municipal official
23 that (i) the municipal official is in arrears of a debt
24 to the municipality, (ii) that municipal official must
25 either pay or contest the debt within 30 days after
26 receipt of the notice or the municipal official will be

1 disqualified and his or her office vacated, and (iii)
2 if the municipal official chooses to contest the debt,
3 the municipal official must provide written notice to
4 the municipal clerk of the contesting of the debt. A
5 copy of the notice, and the notice to contest, shall
6 also be mailed by the municipal clerk to the appointed
7 municipal attorney by certified mail. If the municipal
8 clerk is the municipal official indebted to the
9 municipality, the mayor or president of the
10 municipality shall assume the duties of the municipal
11 clerk required under this paragraph (4).

12 (B) In the event that the municipal official
13 chooses to contest the debt, a hearing shall be held
14 within 30 days of the municipal clerk's receipt of the
15 written notice of contest from the municipal official.
16 An appointed municipal hearing officer shall preside
17 over the hearing, and shall hear testimony and accept
18 evidence relevant to the existence of the debt owed by
19 the municipal officer to the municipality.

20 (C) Upon the conclusion of the hearing, the hearing
21 officer shall make a determination on the basis of the
22 evidence presented as to whether or not the municipal
23 official is in arrears of a debt to the municipality.
24 The determination shall be in writing and shall be
25 designated as findings, decision, and order. The
26 findings, decision, and order shall include: (i) the

1 hearing officer's findings of fact; (ii) a decision of
2 whether or not the municipal official is in arrears of
3 a debt to the municipality based upon the findings of
4 fact; and (iii) an order that either directs the
5 municipal official to pay the debt within 30 days or be
6 disqualified and his or her office vacated or dismisses
7 the matter if a debt owed to the municipality is not
8 proved. A copy of the hearing officer's written
9 determination shall be served upon the municipal
10 official in open proceedings before the hearing
11 officer. If the municipal official does not appear for
12 receipt of the written determination, the written
13 determination shall be deemed to have been served on
14 the municipal official on the date when a copy of the
15 written determination is personally served on the
16 municipal official or on the date when a copy of the
17 written determination is deposited in the United
18 States mail, postage prepaid, addressed to the
19 municipal official at the address on record with the
20 municipality.

21 (D) A municipal official aggrieved by the
22 determination of a hearing officer may secure judicial
23 review of such determination in the circuit court of
24 the county in which the hearing was held. The municipal
25 official seeking judicial review must file a petition
26 with the clerk of the court and must serve a copy of

1 the petition upon the municipality by registered or
2 certified mail within 5 days after service of the
3 determination of the hearing officer. The petition
4 shall contain a brief statement of the reasons why the
5 determination of the hearing officer should be
6 reversed. The municipal official shall file proof of
7 service with the clerk of the court. No answer to the
8 petition need be filed, but the municipality shall
9 cause the record of proceedings before the hearing
10 officer to be filed with the clerk of the court on or
11 before the date of the hearing on the petition or as
12 ordered by the court. The court shall set the matter
13 for hearing to be held within 30 days after the filing
14 of the petition and shall make its decision promptly
15 after such hearing.

16 (E) If a municipal official chooses to pay the
17 debt, or is ordered to pay the debt after the hearing,
18 the municipal official must present proof of payment to
19 the municipal clerk that the debt was paid in full,
20 and, if applicable, within the required time period as
21 ordered by a hearing officer or circuit court judge.

22 (F) A municipal official will be disqualified and
23 his or her office vacated pursuant to this paragraph
24 (4) on the later of the following times if the
25 municipal official: (i) fails to pay or contest the
26 debt within 30 days of the municipal official's receipt

1 of the notice of the debt; (ii) fails to pay the debt
2 within 30 days after being served with a written
3 determination under subparagraph (C) ordering the
4 municipal official to pay the debt; or (iii) fails to
5 pay the debt within 30 days after being served with a
6 decision pursuant to subparagraph (D) upholding a
7 hearing officer's determination that the municipal
8 officer has failed to pay a debt owed to a
9 municipality.

10 (G) For purposes of this paragraph, a "debt" shall
11 mean an arrearage in a definitely ascertainable and
12 quantifiable amount after service of written notice
13 thereof, in the payment of any indebtedness due to the
14 municipality, which has been adjudicated before a
15 tribunal with jurisdiction over the matter. A
16 municipal official is considered in arrears of a debt
17 to a municipality if a debt is more than 30 days
18 overdue from the date the debt was due.

19 (d) Election of an acting mayor or acting president. The
20 election of an acting mayor or acting president pursuant to
21 subsection (f) or (g) does not create a vacancy in the original
22 office of the person on the city council or as a trustee, as
23 the case may be, unless the person resigns from the original
24 office following election as acting mayor or acting president.
25 If the person resigns from the original office following
26 election as acting mayor or acting president, then the original

1 office must be filled pursuant to the terms of this Section and
2 the acting mayor or acting president shall exercise the powers
3 of the mayor or president and shall vote and have veto power in
4 the manner provided by law for a mayor or president. If the
5 person does not resign from the original office following
6 election as acting mayor or acting president, then the acting
7 mayor or acting president shall exercise the powers of the
8 mayor or president but shall be entitled to vote only in the
9 manner provided for as the holder of the original office and
10 shall not have the power to veto. If the person does not resign
11 from the original office following election as acting mayor or
12 acting president, and if that person's original term of office
13 has not expired when a mayor or president is elected and has
14 qualified for office, the acting mayor or acting-president
15 shall return to the original office for the remainder of the
16 term thereof.

17 (e) Appointment to fill alderperson ~~alderman~~ or trustee
18 vacancy. An appointment by the mayor or president or acting
19 mayor or acting president, as the case may be, of a qualified
20 person as described in Section 3.1-10-5 of this Code to fill a
21 vacancy in the office of alderperson ~~alderman~~ or trustee must
22 be made within 60 days after the vacancy occurs. Once the
23 appointment of the qualified person has been forwarded to the
24 corporate authorities, the corporate authorities shall act
25 upon the appointment within 30 days. If the appointment fails
26 to receive the advice and consent of the corporate authorities

1 within 30 days, the mayor or president or acting mayor or
2 acting president shall appoint and forward to the corporate
3 authorities a second qualified person as described in Section
4 3.1-10-5. Once the appointment of the second qualified person
5 has been forwarded to the corporate authorities, the corporate
6 authorities shall act upon the appointment within 30 days. If
7 the appointment of the second qualified person also fails to
8 receive the advice and consent of the corporate authorities,
9 then the mayor or president or acting mayor or acting
10 president, without the advice and consent of the corporate
11 authorities, may make a temporary appointment from those
12 persons who were appointed but whose appointments failed to
13 receive the advice and consent of the corporate authorities.
14 The person receiving the temporary appointment shall serve
15 until an appointment has received the advice and consent and
16 the appointee has qualified or until a person has been elected
17 and has qualified, whichever first occurs.

18 (f) Election to fill vacancies in municipal offices with
19 4-year terms. If a vacancy occurs in an elective municipal
20 office with a 4-year term and there remains an unexpired
21 portion of the term of at least 28 months, and the vacancy
22 occurs at least 130 days before the general municipal election
23 next scheduled under the general election law, then the vacancy
24 shall be filled for the remainder of the term at that general
25 municipal election. Whenever an election is held for this
26 purpose, the municipal clerk shall certify the office to be

1 filled and the candidates for the office to the proper election
2 authorities as provided in the general election law. If a
3 vacancy occurs with less than 28 months remaining in the
4 unexpired portion of the term or less than 130 days before the
5 general municipal election, then:

6 (1) Mayor or president. If the vacancy is in the office
7 of mayor or president, the vacancy must be filled by the
8 corporate authorities electing one of their members as
9 acting mayor or acting president. Except as set forth in
10 subsection (d), the acting mayor or acting president shall
11 perform the duties and possess all the rights and powers of
12 the mayor or president until a mayor or president is
13 elected at the next general municipal election and has
14 qualified. However, in villages with a population of less
15 than 5,000, if each of the trustees either declines the
16 election as acting president or is not elected by a
17 majority vote of the trustees presently holding office,
18 then the trustees may elect, as acting president, any other
19 village resident who is qualified to hold municipal office,
20 and the acting president shall exercise the powers of the
21 president and shall vote and have veto power in the manner
22 provided by law for a president.

23 (2) Aldersperson ~~Alderman~~ or trustee. If the vacancy is
24 in the office of aldersperson ~~alderman~~ or trustee, the
25 vacancy must be filled by the mayor or president or acting
26 mayor or acting president, as the case may be, in

1 accordance with subsection (e).

2 (3) Other elective office. If the vacancy is in any
3 elective municipal office other than mayor or president or
4 alderperson ~~alderman~~ or trustee, the mayor or president or
5 acting mayor or acting president, as the case may be, must
6 appoint a qualified person to hold the office until the
7 office is filled by election, subject to the advice and
8 consent of the city council or the board of trustees, as
9 the case may be.

10 (g) Vacancies in municipal offices with 2-year terms. In
11 the case of an elective municipal office with a 2-year term, if
12 the vacancy occurs at least 130 days before the general
13 municipal election next scheduled under the general election
14 law, the vacancy shall be filled for the remainder of the term
15 at that general municipal election. If the vacancy occurs less
16 than 130 days before the general municipal election, then:

17 (1) Mayor or president. If the vacancy is in the office
18 of mayor or president, the vacancy must be filled by the
19 corporate authorities electing one of their members as
20 acting mayor or acting president. Except as set forth in
21 subsection (d), the acting mayor or acting president shall
22 perform the duties and possess all the rights and powers of
23 the mayor or president until a mayor or president is
24 elected at the next general municipal election and has
25 qualified. However, in villages with a population of less
26 than 5,000, if each of the trustees either declines the

1 election as acting president or is not elected by a
2 majority vote of the trustees presently holding office,
3 then the trustees may elect, as acting president, any other
4 village resident who is qualified to hold municipal office,
5 and the acting president shall exercise the powers of the
6 president and shall vote and have veto power in the manner
7 provided by law for a president.

8 (2) ~~Aldersperson Alderman~~ or trustee. If the vacancy is
9 in the office of ~~alderperson alderman~~ or trustee, the
10 vacancy must be filled by the mayor or president or acting
11 mayor or acting president, as the case may be, in
12 accordance with subsection (e).

13 (3) Other elective office. If the vacancy is in any
14 elective municipal office other than mayor or president or
15 ~~alderperson alderman~~ or trustee, the mayor or president or
16 acting mayor or acting president, as the case may be, must
17 appoint a qualified person to hold the office until the
18 office is filled by election, subject to the advice and
19 consent of the city council or the board of trustees, as
20 the case may be.

21 (h) In cases of vacancies arising by reason of an election
22 being declared void pursuant to paragraph (3) of subsection
23 (c), persons holding elective office prior thereto shall hold
24 office until their successors are elected and qualified or
25 appointed and confirmed by advice and consent, as the case may
26 be.

1 (i) This Section applies only to municipalities with
2 populations under 500,000.

3 (Source: P.A. 99-449, eff. 8-24-15.)

4 (65 ILCS 5/3.1-10-51)

5 Sec. 3.1-10-51. Vacancies in municipalities with a
6 population of 500,000 or more.

7 (a) Events upon which an elective office in a municipality
8 of 500,000 or more shall become vacant:

9 (1) A municipal officer may resign from office. A
10 vacancy occurs in an office by reason of resignation,
11 failure to elect or qualify (in which case the incumbent
12 shall remain in office until the vacancy is filled), death,
13 permanent physical or mental disability rendering the
14 person incapable of performing the duties of his or her
15 office, conviction of a disqualifying crime, abandonment
16 of office, removal from office, or removal of residence
17 from the municipality or, in the case of an alderperson
18 ~~alderman~~ of a ward, removal of residence from the ward.

19 (2) An admission of guilt of a criminal offense that
20 would, upon conviction, disqualify the municipal officer
21 from holding that office, in the form of a written
22 agreement with State or federal prosecutors to plead guilty
23 to a felony, bribery, perjury, or other infamous crime
24 under State or federal law, shall constitute a resignation
25 from that office, effective at the time the plea agreement

1 is made. For purposes of this Section, a conviction for an
2 offense that disqualifies the municipal officer from
3 holding that office occurs on the date of the return of a
4 guilty verdict or, in the case of a trial by the court, the
5 entry of a finding of guilt.

6 (3) Owing a debt to the municipality. A vacancy occurs
7 if a municipal official fails to pay a debt to a
8 municipality in which the official has been elected or
9 appointed to an elected position subject to the following:

10 (A) Before a vacancy may occur under this paragraph
11 (3), the municipal clerk shall deliver, by personal
12 service, a written notice to the municipal official
13 that (i) the municipal official is in arrears of a debt
14 to the municipality, (ii) that municipal official must
15 either pay or contest the debt within 30 days after
16 receipt of the notice or the municipal official will be
17 disqualified and his or her office vacated, and (iii)
18 if the municipal official chooses to contest the debt,
19 the municipal official must provide written notice to
20 the municipal clerk of the contesting of the debt. A
21 copy of the notice, and the notice to contest, shall
22 also be mailed by the municipal clerk to the appointed
23 municipal attorney by certified mail. If the municipal
24 clerk is the municipal official indebted to the
25 municipality, the mayor or president of the
26 municipality shall assume the duties of the municipal

1 clerk required under this paragraph (3).

2 (B) In the event that the municipal official
3 chooses to contest the debt, a hearing shall be held
4 within 30 days of the municipal clerk's receipt of the
5 written notice of contest from the municipal official.
6 An appointed municipal hearing officer shall preside
7 over the hearing, and shall hear testimony and accept
8 evidence relevant to the existence of the debt owed by
9 the municipal officer to the municipality.

10 (C) Upon the conclusion of the hearing, the hearing
11 officer shall make a determination on the basis of the
12 evidence presented as to whether or not the municipal
13 official is in arrears of a debt to the municipality.
14 The determination shall be in writing and shall be
15 designated as findings, decision, and order. The
16 findings, decision, and order shall include: (i) the
17 hearing officer's findings of fact; (ii) a decision of
18 whether or not the municipal official is in arrears of
19 a debt to the municipality based upon the findings of
20 fact; and (iii) an order that either directs the
21 municipal official to pay the debt within 30 days or be
22 disqualified and his or her office vacated or dismisses
23 the matter if a debt owed to the municipality is not
24 proved. A copy of the hearing officer's written
25 determination shall be served upon the municipal
26 official in open proceedings before the hearing

1 officer. If the municipal official does not appear for
2 receipt of the written determination, the written
3 determination shall be deemed to have been served on
4 the municipal official on the date when a copy of the
5 written determination is personally served on the
6 municipal official or on the date when a copy of the
7 written determination is deposited in the United
8 States mail, postage prepaid, addressed to the
9 municipal official at the address on record in the
10 files of the municipality.

11 (D) A municipal official aggrieved by the
12 determination of a hearing officer may secure judicial
13 review of such determination in the circuit court of
14 the county in which the hearing was held. The municipal
15 official seeking judicial review must file a petition
16 with the clerk of the court and must serve a copy of
17 the petition upon the municipality by registered or
18 certified mail within 5 days after service of the
19 determination of the hearing officer. The petition
20 shall contain a brief statement of the reasons why the
21 determination of the hearing officer should be
22 reversed. The municipal official shall file proof of
23 service with the clerk of the court. No answer to the
24 petition need be filed, but the municipality shall
25 cause the record of proceedings before the hearing
26 officer to be filed with the clerk of the court on or

1 before the date of the hearing on the petition or as
2 ordered by the court. The court shall set the matter
3 for hearing to be held within 30 days after the filing
4 of the petition and shall make its decision promptly
5 after such hearing.

6 (E) If a municipal official chooses to pay the
7 debt, or is ordered to pay the debt after the hearing,
8 the municipal official must present proof of payment to
9 the municipal clerk that the debt was paid in full,
10 and, if applicable, within the required time period as
11 ordered by a hearing officer.

12 (F) A municipal official will be disqualified and
13 his or her office vacated pursuant to this paragraph
14 (3) on the later of the following times the municipal
15 official: (i) fails to pay or contest the debt within
16 30 days of the municipal official's receipt of the
17 notice of the debt; (ii) fails to pay the debt within
18 30 days after being served with a written determination
19 under subparagraph (C) ordering the municipal official
20 to pay the debt; or (iii) fails to pay the debt within
21 30 days after being served with a decision pursuant to
22 subparagraph (D) upholding a hearing officer's
23 determination that the municipal officer has failed to
24 pay a debt owed to a municipality.

25 (G) For purposes of this paragraph, a "debt" shall
26 mean an arrearage in a definitely ascertainable and

1 quantifiable amount after service of written notice
2 thereof, in the payment of any indebtedness due to the
3 municipality, which has been adjudicated before a
4 tribunal with jurisdiction over the matter. A
5 municipal official is considered in arrears of a debt
6 to a municipality if a debt is more than 30 days
7 overdue from the date the debt was due.

8 (b) If a vacancy occurs in an elective municipal office
9 with a 4-year term and there remains an unexpired portion of
10 the term of at least 28 months, and the vacancy occurs at least
11 130 days before the general municipal election next scheduled
12 under the general election law, then the vacancy shall be
13 filled for the remainder of the term at that general municipal
14 election. Whenever an election is held for this purpose, the
15 municipal clerk shall certify the office to be filled and the
16 candidates for the office to the proper election authorities as
17 provided in the general election law. If the vacancy is in the
18 office of mayor, the city council shall elect one of their
19 members acting mayor. The acting mayor shall perform the duties
20 and possess all the rights and powers of the mayor until a
21 successor to fill the vacancy has been elected and has
22 qualified. If the vacancy is in any other elective municipal
23 office, then until the office is filled by election, the mayor
24 shall appoint a qualified person to the office subject to the
25 advice and consent of the city council.

26 (c) If a vacancy occurs later than the time provided in

1 subsection (b) in a 4-year term, a vacancy in the office of
2 mayor shall be filled by the corporate authorities electing one
3 of their members acting mayor. The acting mayor shall perform
4 the duties and possess all the rights and powers of the mayor
5 until a mayor is elected at the next general municipal election
6 and has qualified. A vacancy occurring later than the time
7 provided in subsection (b) in a 4-year term in any elective
8 office other than mayor shall be filled by appointment by the
9 mayor, with the advice and consent of the corporate
10 authorities.

11 (d) A municipal officer appointed or elected under this
12 Section shall hold office until the officer's successor is
13 elected and has qualified.

14 (e) An appointment to fill a vacancy in the office of
15 alderperson ~~alderman~~ shall be made within 60 days after the
16 vacancy occurs. The requirement that an appointment be made
17 within 60 days is an exclusive power and function of the State
18 and is a denial and limitation under Article VII, Section 6,
19 subsection (h) of the Illinois Constitution of the power of a
20 home rule municipality to require that an appointment be made
21 within a different period after the vacancy occurs.

22 (f) This Section applies only to municipalities with a
23 population of 500,000 or more.

24 (Source: P.A. 99-449, eff. 8-24-15.)

25 (65 ILCS 5/3.1-10-60) (from Ch. 24, par. 3.1-10-60)

1 Sec. 3.1-10-60. Interim appointments to vacancies. If a
2 municipality has no mayor or president, no clerk, and no
3 alderpersons ~~aldermen~~ or trustees, the circuit court may, upon
4 petition signed by at least 100 electors or 10% of the electors
5 of the municipality, whichever is less, make interim
6 appointments to fill all vacancies in the elective offices of
7 the municipality from among persons whose names are submitted
8 by the petition or petitions. The interim appointees shall
9 serve until the next regularly scheduled election under the
10 general election law occurring not less than 120 days after all
11 the offices have become vacant.

12 (Source: P.A. 87-1119.)

13 (65 ILCS 5/3.1-10-65) (from Ch. 24, par. 3.1-10-65)

14 Sec. 3.1-10-65. Referendum to reduce terms.

15 (a) In any municipality of less than 500,000 inhabitants, a
16 proposition to reduce the terms of the elective officers of the
17 municipality from 4 years to 2 years may be submitted, within
18 the discretion of the corporate authorities, to the electors of
19 the municipality. The proposition shall also be submitted if a
20 petition requesting that action is signed by electors of the
21 municipality numbering not less than 10% of the total vote cast
22 at the last election for mayor or president of the municipality
23 and the petition is filed with the municipal clerk and
24 certified in accordance with the general election law. The
25 proposition shall be substantially in the following form:

1 Shall the term of the elective officers of (name of
2 municipality) be reduced from 4 years to 2 years?

3 (b) If a majority of the electors voting on the proposition
4 vote against it, the terms of the officers shall remain 4
5 years. If, however, a majority of those voting on the
6 proposition vote in favor of it, the officers elected at the
7 next regular election for officers in the municipality shall
8 hold their offices for a term of 2 years and until their
9 successors are elected and have qualified, except in the case
10 of trustees and alderpersons ~~aldermen~~. In the case of
11 alderpersons ~~aldermen~~ and trustees: (i) at the first election
12 of alderpersons ~~aldermen~~ or trustees that occurs in an odd
13 numbered year following the vote to reduce the length of terms,
14 successors to alderpersons ~~aldermen~~ or trustees whose terms
15 expire in that year shall be elected for a term of one year and
16 until their successors are elected and have qualified and (ii)
17 thereafter, one-half of the alderpersons ~~aldermen~~ or trustees
18 shall be elected each year for terms of 2 years and until their
19 successors are elected and have qualified.

20 (Source: P.A. 87-1119.)

21 (65 ILCS 5/3.1-10-75) (from Ch. 24, par. 3.1-10-75)

22 Sec. 3.1-10-75. Referendum to lengthen terms.

23 (a) In any municipality of less than 500,000 inhabitants
24 that, under Section 3.1-10-65, has voted to shorten the terms
25 of elective officers, a proposition to lengthen the terms of

1 the elective officers of the municipality from 2 years to 4
2 years may be submitted, within the discretion of the corporate
3 authorities, to the electors of the municipality. The
4 proposition shall be certified by the municipal clerk to the
5 appropriate election authorities, who shall submit the
6 proposition at an election in accordance with the general
7 election law. The proposition shall also be submitted at an
8 election if a petition requesting that action is signed by
9 electors of the municipality numbering not less than 10% of the
10 total vote cast at the last election for mayor or president of
11 the municipality and the petition is filed with the municipal
12 clerk. The proposition shall be substantially in the following
13 form:

14 Shall the term of the elective officers of (name of
15 municipality) be lengthened from 2 years to 4 years?

16 (b) If a majority of the electors voting on the proposition
17 vote against it, the terms of the officers shall remain 2
18 years. If, however, a majority of those voting on the
19 proposition vote in favor of it, the officers elected at the
20 next regular election for officers in the municipality shall
21 hold their offices for a term of 4 years and until their
22 successors are elected and have qualified, except in the case
23 of trustees and alderpersons ~~aldermen~~. In the case of
24 alderpersons ~~aldermen~~ and trustees: (i) if the first election
25 for alderpersons ~~aldermen~~ or trustees, after approval of the
26 proposition, occurs in an even numbered year, the alderpersons

1 ~~aldermen~~ or trustees elected in that even numbered year shall
2 serve for terms of 3 years and until their successors are
3 elected and have qualified, the terms for successors to those
4 elected at the first even numbered year election shall be 4
5 years and until successors are elected and have qualified, the
6 alderpersons ~~aldermen~~ or trustees elected at the first odd
7 numbered year election next following the first even numbered
8 year election shall serve for terms of 4 years and until
9 successors are elected and have qualified, and successors
10 elected after the first odd numbered year shall also serve 4
11 year terms and until their successors are elected and have
12 qualified and (ii) if the first election for alderpersons
13 ~~aldermen~~ or trustees, after approval of the proposition, occurs
14 in an odd numbered year, the alderpersons ~~aldermen~~ or trustees
15 elected in that odd numbered year shall serve for terms of 4
16 years and until their successors are elected and have
17 qualified, the terms for successors to those elected at the
18 first odd numbered year election shall be for 4 years and until
19 successors are elected and have qualified, the alderpersons
20 ~~aldermen~~ or trustees elected at the first even numbered year
21 election next following the first odd numbered year election
22 shall serve for terms of one year and until their successors
23 are elected and have qualified, and the terms for successors to
24 those elected at the first odd numbered year election shall be
25 4 years and until their successors are elected and have
26 qualified.

1 (Source: P.A. 87-1119.)

2 (65 ILCS 5/3.1-15-5) (from Ch. 24, par. 3.1-15-5)

3 Sec. 3.1-15-5. Officers to be elected. In all cities
4 incorporated under this Code there shall be elected a mayor,
5 alderpersons ~~aldermen~~, a city clerk, and a city treasurer
6 (except in the case of a city of 10,000 or fewer inhabitants
7 that, by ordinance, allows for the appointment of a city
8 treasurer by the mayor, subject to the advice and consent of
9 the city council). In all villages and incorporated towns,
10 there shall be elected a president, trustees, and a clerk,
11 except as otherwise provided in this Code.

12 (Source: P.A. 87-1119; 88-572, eff. 8-11-94.)

13 (65 ILCS 5/3.1-15-15) (from Ch. 24, par. 3.1-15-15)

14 Sec. 3.1-15-15. Holding other offices. A mayor, president,
15 alderperson ~~alderman~~, trustee, clerk, or treasurer shall not
16 hold any other office under the municipal government during the
17 term of that office, except when the officer is granted a leave
18 of absence from that office or except as otherwise provided in
19 Sections 3.1-10-50, 3.1-35-135, and 8-2-9.1. Moreover, an
20 officer may serve as a volunteer fireman and receive
21 compensation for that service.

22 (Source: P.A. 99-386, eff. 8-17-15.)

23 (65 ILCS 5/3.1-15-25) (from Ch. 24, par. 3.1-15-25)

1 Sec. 3.1-15-25. Conservators of the peace; service of
2 warrants.

3 (a) After receiving a certificate attesting to the
4 successful completion of a training course administered by the
5 Illinois Law Enforcement Training Standards Board, the mayor,
6 alderpersons ~~aldermen~~, president, trustees, marshal, deputy
7 marshals, and policemen in municipalities shall be
8 conservators of the peace. Those persons and others authorized
9 by ordinance shall have power (i) to arrest or cause to be
10 arrested, with or without process, all persons who break the
11 peace or are found violating any municipal ordinance or any
12 criminal law of the State, (ii) to commit arrested persons for
13 examination, (iii) if necessary, to detain arrested persons in
14 custody over night or Sunday in any safe place or until they
15 can be brought before the proper court, and (iv) to exercise
16 all other powers as conservators of the peace prescribed by the
17 corporate authorities.

18 (b) All warrants for the violation of municipal ordinances
19 or the State criminal law, directed to any person, may be
20 served and executed within the limits of a municipality by any
21 policeman or marshal of the municipality. For that purpose,
22 policemen and marshals have all the common law and statutory
23 powers of sheriffs.

24 (Source: P.A. 90-540, eff. 12-1-97.)

25 (65 ILCS 5/3.1-15-30) (from Ch. 24, par. 3.1-15-30)

1 Sec. 3.1-15-30. Minority representation.

2 (a) Whenever the question of incorporation as a city under
3 this Code is submitted for adoption to the electors of any
4 territory, village, incorporated town, or city under special
5 charter, there may be submitted at the same time for adoption
6 or rejection the question of minority representation in the
7 city council. The proposition shall be in the following form:

8 Shall minority representation in the city council be
9 adopted?

10 (b) If a majority of the votes cast on the question at any
11 election are for minority representation in the city council,
12 the members of the city council, except as otherwise provided,
13 thereafter shall be elected as provided in Section 3.1-15-35.

14 (c) The city council, at least 30 days before the first day
15 fixed by law for the filing of candidate petitions for the next
16 general municipal election, shall apportion the city by
17 dividing its population, as ascertained by an official
18 publication of any national, state, school, or city census, by
19 any number not less than 2 nor more than 6. The quotient shall
20 be the ratio of representation in the city council. Districts
21 shall be formed of contiguous and compact territory and
22 contain, as near as practicable, an equal number of
23 inhabitants.

24 (d) If a majority of the votes cast on the question at any
25 election are against minority representation in the city
26 council, the members of the city council shall be elected as

1 otherwise provided in this Code.

2 (e) At any time after the incorporation of a city under
3 this Code, on petition of electors equal in number to
4 one-eighth the number of legal votes cast at the next preceding
5 general municipal election, the city clerk shall certify the
6 question of the adoption or retention of minority
7 representation to the proper election authority for submission
8 to the electors of that city. The proposition shall be in the
9 same form as provided in this Section, except that the word
10 "retained" shall be substituted for the word "adopted" when
11 appropriate. A question of minority representation, however,
12 shall not be submitted more than once within 32 months.

13 (f) If the city council of any city adopting minority
14 representation as provided in this Section has not fixed a
15 ratio of representation and formed the districts by the time
16 specified in this Section, those acts may be done by any later
17 city council. All official acts done and ordinances passed by a
18 city council elected at large by the electors of a city that
19 has adopted a minority representation plan shall be as valid
20 and binding as if the alderpersons ~~aldermen~~ had been elected
21 from districts.

22 (Source: P.A. 87-1119.)

23 (65 ILCS 5/3.1-15-35) (from Ch. 24, par. 3.1-15-35)

24 Sec. 3.1-15-35. Alderpersons ~~Aldermen~~ under minority
25 representation plan. Every district under a minority

1 representation plan shall be entitled to 3 alderpersons
2 ~~aldermen~~. Alderspersons ~~Aldermen~~ shall hold their offices for 4
3 years and until their successors have been elected and
4 qualified, except in cities that have adopted a 2 year term
5 under Section 3.1-10-65. There shall be elected in each
6 district as many alderpersons ~~aldermen~~ as the district is
7 entitled to. In all of these elections for alderpersons
8 ~~aldermen~~, each elector may cast as many votes as there are
9 alderpersons ~~aldermen~~ to be elected in the elector's district,
10 or may distribute his or her votes, or equal parts of the
11 votes, among the candidates as the elector sees fit. The
12 candidate highest in votes is elected if only one alderperson
13 ~~alderman~~ is elected; the candidates highest and next highest in
14 votes are elected if only 2 alderpersons ~~aldermen~~ are elected;
15 and the 3 highest candidates in votes are elected when 3
16 alderpersons ~~aldermen~~ are elected. Vacancies shall be filled as
17 provided in Sections 3.1-10-50 and 3.1-10-55 by either interim
18 election or appointment. An appointment to fill a vacancy shall
19 be made within 60 days after the vacancy occurs. The
20 requirement that an appointment be made within 60 days is an
21 exclusive power and function of the State and is a denial and
22 limitation under Article VII, Section 6, subsection (h) of the
23 Illinois Constitution of the power of a home rule municipality
24 to require that an appointment be made within a different
25 period after the vacancy occurs.

26 (Source: P.A. 87-1052; 87-1119; 88-45.)

1 (65 ILCS 5/3.1-15-40) (from Ch. 24, par. 3.1-15-40)

2 Sec. 3.1-15-40. Staggered elections under minority plans.
3 In all cities that adopt or have adopted the minority
4 representation plan for the election of alderpersons ~~aldermen~~
5 and have not already staggered the terms of their alderpersons
6 ~~aldermen~~, the city council may provide by ordinance that at any
7 ensuing general municipal election for city officers the
8 alderpersons ~~aldermen~~ in every alternate district shall be
9 elected for one term of 2 years and, at the expiration of that
10 term of 2 years, for regular terms of 4 years. This Section
11 does not prohibit a city from voting in favor of a 2 year term
12 for city officers as provided in Section 3.1-10-65. The
13 provisions of the general election law shall govern elections
14 under this Section.

15 (Source: P.A. 87-1119.)

16 (65 ILCS 5/3.1-20-10) (from Ch. 24, par. 3.1-20-10)

17 Sec. 3.1-20-10. Alderpersons ~~Aldermen~~; number.

18 (a) Except as otherwise provided in this Section, Section
19 3.1-20-20, or as otherwise provided in the case of
20 alderpersons-at-large ~~aldermen-at-large~~, the number of
21 alderpersons ~~aldermen~~, when not elected by the minority
22 representation plan, shall be determined using the most recent
23 federal decennial census results as follows:

24 (1) in cities not exceeding 3,000 inhabitants, 6

1 alderpersons ~~aldermen~~;

2 (2) in cities exceeding 3,000 but not exceeding 15,000,

3 8 alderpersons ~~aldermen~~;

4 (3) in cities exceeding 15,000 but not exceeding

5 20,000, 10 alderpersons ~~aldermen~~;

6 (4) in cities exceeding 20,000 but not exceeding

7 50,000, 14 alderpersons ~~aldermen~~;

8 (5) in cities exceeding 50,000 but not exceeding

9 70,000, 16 alderpersons ~~aldermen~~;

10 (6) in cities exceeding 70,000 but not exceeding

11 90,000, 18 alderpersons ~~aldermen~~; and

12 (7) in cities exceeding 90,000 but not exceeding

13 500,000, 20 alderpersons ~~aldermen~~.

14 (b) Instead of the number of alderpersons ~~aldermen~~ set

15 forth in subsection (a), a municipality with 15,000 or more

16 inhabitants may adopt, either by ordinance or by resolution,

17 not more than one year after the municipality's receipt of the

18 new federal decennial census results, the following number of

19 alderpersons ~~aldermen~~: in cities exceeding 15,000 but not

20 exceeding 20,000, 8 alderpersons ~~aldermen~~; exceeding 20,000

21 but not exceeding 50,000, 10 alderpersons ~~aldermen~~; exceeding

22 50,000 but not exceeding 70,000, 14 alderpersons ~~aldermen~~;

23 exceeding 70,000 but not exceeding 90,000, 16 alderpersons

24 ~~aldermen~~; and exceeding 90,000 but not exceeding 500,000, 18

25 alderpersons ~~aldermen~~.

26 (c) Instead of the number of alderpersons ~~aldermen~~ set

1 forth in subsection (a), a municipality with 40,000 or more
2 inhabitants may adopt, either by ordinance or by resolution,
3 not more than one year after the municipality's receipt of the
4 new federal decennial census results, the following number of
5 alderpersons ~~aldermen~~: in cities exceeding 40,000 but not
6 exceeding 50,000, 16 alderpersons ~~aldermen~~.

7 (d) If, according to the most recent federal decennial
8 census results, the population of a municipality increases or
9 decreases under this Section, then the municipality may adopt
10 an ordinance or resolution to retain the number of alderpersons
11 ~~aldermen~~ that existed before the most recent federal decennial
12 census results. The ordinance or resolution may not be adopted
13 more than one year after the municipality's receipt of the most
14 recent federal decennial census results.

15 (Source: P.A. 96-1156, eff. 7-21-10; 97-301, eff. 8-11-11;
16 97-1091, eff. 8-24-12.)

17 (65 ILCS 5/3.1-20-15) (from Ch. 24, par. 3.1-20-15)

18 Sec. 3.1-20-15. Division into wards. Except as otherwise
19 provided in Section 3.1-20-20, every city shall have one-half
20 as many wards as the total number of alderpersons ~~aldermen~~ to
21 which the city is entitled. The city council, from time to
22 time, shall divide the city into that number of wards.

23 (Source: P.A. 87-1119.)

24 (65 ILCS 5/3.1-20-20) (from Ch. 24, par. 3.1-20-20)

1 Sec. 3.1-20-20. Alderpersons ~~Aldermen~~; restrict or
2 reinstate number.

3 (a) In a city of less than 100,000 inhabitants, a
4 proposition to restrict the number of alderpersons ~~aldermen~~ to
5 one-half of the total authorized by Section 3.1-20-10, with one
6 alderperson ~~alderman~~ representing each ward, shall be
7 certified by the city clerk to the proper election authorities,
8 who shall submit the proposition at an election in accordance
9 with the general election law, if a petition requesting that
10 action is signed by electors of the city numbering not less
11 than 10% of the total vote cast at the last election for mayor
12 of the city and the petition is filed with the city clerk.

13 The proposition shall be substantially in the following
14 form:

15 Shall (name of city) restrict the number of
16 alderpersons ~~aldermen~~ to (state number) (one-half of the
17 total authorized by Section 3.1-20-10 of the Illinois
18 Municipal Code), with one alderperson ~~alderman~~
19 representing each ward?

20 If a majority of those voting on the proposition vote in
21 favor of it, all existing ~~aldermanic~~ terms of alderpersons
22 shall expire as of the date of the next regular ~~aldermanic~~
23 election of alderpersons, at which time a full complement of
24 alderpersons ~~aldermen~~ shall be elected for the full term.

25 (b) In a city of less than 100,000 inhabitants, a
26 proposition to restrict the number of alderpersons ~~aldermen~~ to

1 one alderperson ~~alderman~~ per ward, with one alderperson
2 ~~alderman~~ representing each ward, plus an additional number of
3 alderpersons ~~aldermen~~ not to exceed the number of wards in the
4 city to be elected at large, shall be certified by the city
5 clerk to the proper election authorities, who shall submit the
6 proposition at an election in accordance with the general
7 election law, if a petition requesting that action is signed by
8 electors of the city numbering not less than 10% of the total
9 vote cast at the last election for mayor of the city and the
10 petition is filed with the city clerk.

11 The proposition shall be substantially in the following
12 form:

13 Shall (name of city) restrict the number of
14 alderpersons ~~aldermen~~ to (number), with one alderperson
15 ~~alderman~~ representing each ward, plus an additional
16 (number) alderperson ~~alderman~~ (alderpersons ~~aldermen~~) to
17 be elected at large?

18 If a majority of those voting on the proposition vote in
19 favor of it, all existing ~~aldermanic~~ terms of alderpersons
20 shall expire as of the date of the next regular ~~aldermanic~~
21 election of alderpersons, at which time a full complement of
22 alderpersons ~~aldermen~~ shall be elected for the full term.

23 (c) In a city of less than 100,000 inhabitants where a
24 proposition under subsection (a) or (b) has been successful, a
25 proposition to reinstate the number of alderpersons ~~aldermen~~ in
26 accordance with Section 3.1-20-10 shall be certified by the

1 city clerk to the proper election authorities, who shall submit
2 the proposition at an election in accordance with the general
3 election law, if a petition requesting that action has been
4 signed by electors of the city numbering not less than 10% of
5 the total vote cast at the last election for mayor of the city
6 and the petition has been filed with the city clerk.

7 The election authority must submit the proposition in
8 substantially the following form:

9 Shall (name of city) reinstate the number of
10 alderpersons ~~aldermen~~ to (number of alderpersons ~~aldermen~~
11 allowed by Section 3.1-20-10)?

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

13 If a majority of the electors voting on the proposition
14 vote in the affirmative, then, if the restriction in the number
15 of alderpersons ~~aldermen~~ has taken effect, all existing
16 ~~aldermanic~~ terms of alderpersons shall expire as of the date of
17 the next regular ~~aldermanic~~ election of alderpersons, at which
18 time a full complement of alderpersons ~~aldermen~~ shall be
19 elected for the full term and thereafter terms shall be
20 determined in accordance with Section 3.1-20-35.

21 (Source: P.A. 92-727, eff. 7-25-02.)

22 (65 ILCS 5/3.1-20-22) (from Ch. 24, par. 3.1-20-22)

23 Sec. 3.1-20-22. Alderpersons ~~Aldermen~~; staggered terms. In
24 any city of less than 100,000 inhabitants, a proposition to
25 stagger the terms of alderpersons ~~aldermen~~, with as nearly as

1 possible one-half of the alderpersons ~~aldermen~~ elected every 2
2 years, shall be certified by the city clerk to the proper
3 election authority, who shall submit the proposition at an
4 election in accordance with the general election law, if a
5 petition requesting that action is signed by electors of the
6 city numbering at least 10% of the total vote cast at the last
7 election for mayor of the city and is filed with the city
8 clerk.

9 The ballot shall have printed on it, but not as a part of
10 the proposition submitted, the following information for
11 voters: one alderperson ~~alderman~~ elected from each
12 even-numbered ward shall serve a term of 2 years; one
13 alderperson ~~alderman~~ elected from each odd-numbered ward shall
14 serve a term of 4 years.

15 The proposition shall be substantially in the following
16 form:

17 Shall (name of city) adopt a system of staggered terms
18 for alderpersons ~~aldermen~~?

19 If a majority of those voting on the proposition vote in
20 favor of it, then at the next regular election for alderpersons
21 ~~aldermen~~ one alderperson ~~alderman~~ shall be elected from each
22 even-numbered ward for a term of 2 years and one alderperson
23 ~~alderman~~ shall be elected from each odd-numbered ward for a
24 term of 4 years. Thereafter, their successors shall be elected
25 for terms of 4 years.

26 (Source: P.A. 87-1119.)

1 (65 ILCS 5/3.1-20-25) (from Ch. 24, par. 3.1-20-25)

2 Sec. 3.1-20-25. Redistricting a city.

3 (a) In the formation of wards, the number of inhabitants of
4 the city immediately preceding the division of the city into
5 wards shall be as nearly equal in population, and the wards
6 shall be of as compact and contiguous territory, as
7 practicable. Wards shall be created in a manner so that, as far
8 as practicable, no precinct shall be divided between 2 or more
9 wards.

10 (b) Whenever an official decennial census shows that a city
11 contains more or fewer wards than it is entitled to, the city
12 council of the city, by ordinance, shall redistrict the city
13 into as many wards as the city is entitled. This redistricting
14 shall be completed not less than 30 days before the first day
15 set by the general election law for the filing of candidate
16 petitions for the next succeeding election for city officers.
17 At this election there shall be elected the number of
18 alderpersons ~~aldermen~~ to which the city is entitled, except as
19 provided in subsection (c).

20 (c) If it appears from any official decennial census that
21 it is necessary to redistrict under subsection (b) or for any
22 other reason, the city council shall immediately proceed to
23 redistrict the city and shall hold the next city election in
24 accordance with the new redistricting. At this election the
25 alderpersons ~~aldermen~~ whose terms of office are not expiring

1 shall be considered alderpersons ~~aldermen~~ for the new wards
2 respectively in which their residences are situated. At this
3 election, in a municipality that is not a newly incorporated
4 municipality, a candidate for alderperson ~~alderman~~ may be
5 elected from any ward that contains a part of the ward in which
6 he or she resided at least one year next preceding the election
7 that follows the redistricting, and, if elected, that person
8 may be reelected from the new ward he or she represents if he
9 or she resides in that ward for at least one year next
10 preceding reelection. If there are 2 or more alderpersons
11 ~~aldermen~~ with terms of office not expiring and residing in the
12 same ward under the new redistricting, the alderperson ~~alderman~~
13 who holds over for that ward shall be determined by lot in the
14 presence of the city council, in the manner directed by the
15 council, and all other alderpersons ~~aldermen~~ shall fill their
16 unexpired terms as alderpersons-at-large ~~aldermen-at-large~~.
17 The alderpersons-at-large ~~aldermen-at-large~~, if any, shall
18 have the same powers and duties as all other alderpersons
19 ~~aldermen~~, but upon the expiration of their terms the offices of
20 alderpersons-at-large ~~aldermen-at-large~~ shall be abolished.

21 (d) If the redistricting results in one or more wards in
22 which no alderpersons ~~aldermen~~ reside whose terms of office
23 have not expired, 2 alderpersons ~~aldermen~~ shall be elected in
24 accordance with Section 3.1-20-35, unless the city elected only
25 one alderperson ~~alderman~~ per ward pursuant to a referendum
26 under subsection (a) of Section 3.1-20-20.

1 (e) A redistricting ordinance that has decreased the number
2 of wards of a city because of a decrease in population of the
3 city shall not be effective if, not less than 60 days before
4 the time fixed for the next succeeding general municipal
5 election, an official census is officially published that shows
6 that the city has regained a population that entitles it to the
7 number of wards that it had just before the passage of the last
8 redistricting ordinance.

9 (Source: P.A. 97-1091, eff. 8-24-12.)

10 (65 ILCS 5/3.1-20-30) (from Ch. 24, par. 3.1-20-30)

11 Sec. 3.1-20-30. Validation of actions. After an official
12 census is officially published, if a city is divided into a
13 greater number of wards and has elected a greater number of
14 alderpersons ~~aldermen~~ than the city is entitled to, the
15 division and election shall, nevertheless, be valid and all
16 acts, resolutions, and ordinances of the city council of that
17 city, if in other respects in compliance with law, are valid.

18 (Source: P.A. 87-1119.)

19 (65 ILCS 5/3.1-20-35) (from Ch. 24, par. 3.1-20-35)

20 Sec. 3.1-20-35. Determining terms.

21 (a) Alderpersons ~~Aldermen~~ elected at the first election for
22 city officers after the election of alderpersons ~~aldermen~~ for
23 the initial terms provided for in Section 2-2-11 shall draw
24 lots to determine which alderpersons ~~aldermen~~ in each ward

1 shall hold office for a 4 year term, and until a successor is
2 elected and has qualified, and which alderpersons ~~aldermen~~ in
3 each ward shall hold office for a 2 year term, and until a
4 successor is elected and has qualified. All alderpersons
5 ~~aldermen~~ thereafter elected shall hold office for a term of 4
6 years, and until their successors are elected and have
7 qualified, except in cities that adopt a 2 year term under
8 Section 3.1-10-65 and except as otherwise provided in Section
9 3.1-20-20.

10 (b) If a city that has had the minority representation plan
11 has voted not to retain the plan, then at the first election
12 for city officers following the vote 2 alderpersons ~~aldermen~~
13 shall be elected from each ward in the city and their terms
14 shall be staggered in the manner set forth in subsection (a).
15 The tenure of these alderpersons ~~aldermen~~ and their successors
16 shall be the same as that stated in subsection (a).

17 (Source: P.A. 87-1119.)

18 (65 ILCS 5/3.1-20-40) (from Ch. 24, par. 3.1-20-40)

19 Sec. 3.1-20-40. Other officers; election rather than
20 appointment. Instead of providing for the appointment of the
21 following officers as provided in Section 3.1-30-5, the city
22 council, in its discretion, may provide by ordinance passed by
23 a two-thirds vote of all the alderpersons ~~aldermen~~ elected for
24 the election by the electors of the city of a city collector, a
25 city marshal, a city superintendent of streets, a corporation

1 counsel, a city comptroller, or any of them, and any other
2 officers which the city council considers necessary or
3 expedient. By ordinance or resolution, to take effect at the
4 end of the current fiscal year, the city council, by a like
5 vote, may discontinue any office so created and devolve the
6 duties of that office on any other city officer. After
7 discontinuance of an office, no officer filling that office
8 before its discontinuance shall have any claim against the city
9 for salary alleged to accrue after the date of discontinuance.

10 (Source: P.A. 87-1119.)

11 (65 ILCS 5/3.1-20-45)

12 Sec. 3.1-20-45. Nonpartisan primary elections; uncontested
13 office. A city incorporated under this Code that elects
14 municipal officers at nonpartisan primary and general
15 elections shall conduct the elections as provided in the
16 Election Code, except that no office for which nomination is
17 uncontested shall be included on the primary ballot and no
18 primary shall be held for that office. For the purposes of this
19 Section, an office is uncontested when not more than 4 persons
20 to be nominated for each office have timely filed valid
21 nominating papers seeking nomination for the election to that
22 office.

23 Notwithstanding the preceding paragraph, when a person (i)
24 who has not timely filed valid nomination papers and (ii) who
25 intends to become a write-in candidate for nomination for any

1 office for which nomination is uncontested files a written
2 statement or notice of that intent with the proper election
3 official with whom the nomination papers for that office are
4 filed, if the write-in candidate becomes the fifth candidate
5 filed, a primary ballot must be prepared and a primary must be
6 held for the office. The statement or notice must be filed on
7 or before the 61st day before the consolidated primary
8 election. The statement must contain (i) the name and address
9 of the person intending to become a write-in candidate, (ii) a
10 statement that the person intends to become a write-in
11 candidate, and (iii) the office the person is seeking as a
12 write-in candidate. An election authority has no duty to
13 conduct a primary election or prepare a primary ballot unless a
14 statement meeting the requirements of this paragraph is filed
15 in a timely manner.

16 If there is a primary election, then candidates shall be
17 placed on the ballot for the next succeeding general municipal
18 election in the following manner:

19 (1) If one officer is to be elected, then the 2
20 candidates who receive the highest number of votes shall be
21 placed on the ballot for the next succeeding general
22 municipal election.

23 (2) If 2 alderpersons ~~aldermen~~ are to be elected at
24 large, then the 4 candidates who receive the highest number
25 of votes shall be placed on the ballot for the next
26 succeeding general municipal election.

1 (3) If 3 alderpersons ~~aldermen~~ are to be elected at
2 large, then the 6 candidates who receive the highest number
3 of votes shall be placed on the ballot for the next
4 succeeding general municipal election.

5 The name of a write-in candidate may not be placed on the
6 ballot for the next succeeding general municipal election
7 unless he or she receives a number of votes in the primary
8 election that equals or exceeds the number of signatures
9 required on a petition for nomination for that office or that
10 exceeds the number of votes received by at least one of the
11 candidates whose names were printed on the primary ballot for
12 nomination for or election to the same office.

13 (Source: P.A. 97-81, eff. 7-5-11.)

14 (65 ILCS 5/3.1-25-70) (from Ch. 24, par. 3.1-25-70)

15 Sec. 3.1-25-70. Trustees under special Acts.

16 (a) In every village and incorporated town incorporated and
17 existing under any special Act that, before June 4, 1909,
18 pursuant to any special Act, annually elected members of its
19 legislative body, the electors in the village or incorporated
20 town, instead of the legislative body now provided for by law,
21 shall elect 6 trustees. They shall hold their offices until
22 their respective successors are elected and have qualified. At
23 the first meeting of this board of 6 trustees, the terms of
24 office of the trustees shall be staggered, and thereafter shall
25 be for the same length of time as provided for alderpersons

1 ~~aldermen~~ in Section 3.1-20-35.

2 (b) The electors of the village or incorporated town may,
3 however, adopt a 2 year term for their trustees as provided in
4 Section 3.1-10-65. If this 2 year term is adopted, then at the
5 next general municipal election in the adopting village or
6 incorporated town, 3 trustees shall be elected, and they shall
7 hold their offices for terms of one year each. In the next
8 succeeding year, and in each year thereafter, 3 trustees shall
9 be elected in the adopting village or incorporated town, and
10 they shall hold their offices for terms of 2 years each.

11 (c) A village or incorporated town that, before January 1,
12 1942, has adopted a 2 year term for its trustees and is now
13 electing 3 trustees each year shall continue to elect 3
14 trustees each year for a term of 2 years each. A village or
15 incorporated town that, before January 1, 1942, has adopted a 2
16 year term for its trustees but is not now electing 3 trustees
17 each year shall elect 3 trustees at the next general municipal
18 election in that municipality, and they shall hold their
19 offices for terms of one year each. In the next succeeding
20 year, and in each year thereafter, 3 trustees shall be elected,
21 and they shall hold their offices for terms of 2 years each.

22 (d) This Section shall not apply to or change the method of
23 election of the members of the legislative body of incorporated
24 towns that have superseded civil townships.

25 (Source: P.A. 87-1119.)

1 (65 ILCS 5/3.1-25-75) (from Ch. 24, par. 3.1-25-75)

2 Sec. 3.1-25-75. Districts; election of trustees.

3 (a) After a village with a population of 5,000 or more
4 adopts the provisions of this Section in the manner prescribed
5 in Section 3.1-25-80, the board of trustees by ordinance shall
6 divide and, whenever necessary thereafter, shall redistrict
7 the village into 6 compact and contiguous districts of
8 approximately equal population as required by law. This
9 redistricting shall be completed not less than 30 days before
10 the first day for the filing of nominating petitions for the
11 next succeeding election of village officers held in accordance
12 with the general election law.

13 (b) Each of the districts shall be represented by one
14 trustee who shall have been an actual resident of the district
15 for at least 6 months immediately before his or her election in
16 the first election after a redistricting, unless the trustee is
17 a resident of a newly incorporated municipality. Only the
18 electors of a district shall elect the trustee from that
19 district.

20 (c) The provisions of this Code relating to terms of office
21 of alderpersons ~~aldermen~~ in cities shall also apply to the
22 terms of office of trustees under this Section.

23 (Source: P.A. 95-646, eff. 1-1-08.)

24 (65 ILCS 5/3.1-35-35) (from Ch. 24, par. 3.1-35-35)

25 Sec. 3.1-35-35. Mayor or president pro tem; temporary

1 chairman.

2 (a) If the mayor or president is temporarily absent because
3 of an incapacity to perform official duties, but the incapacity
4 does not create a vacancy in the office, the corporate
5 authorities shall elect one of their members to act as mayor or
6 president pro tem. The mayor or president pro tem, during this
7 absence or disability, shall perform the duties and possess all
8 the rights and powers of the mayor or president but shall not
9 be entitled to vote both as mayor or president pro tem and as
10 alderperson ~~alderman~~ or trustee.

11 (b) In the absence of the mayor, president, acting mayor or
12 president, or mayor or president pro tem, the corporate
13 authorities may elect one of their members to act as a
14 temporary chairman. The temporary chairman shall have only the
15 powers of a presiding officer and a right to vote only in the
16 capacity as alderperson ~~alderman~~ or trustee on any ordinance,
17 resolution, or motion.

18 (Source: P.A. 87-1119.)

19 (65 ILCS 5/3.1-40-5) (from Ch. 24, par. 3.1-40-5)

20 Sec. 3.1-40-5. Composition. The city council shall consist
21 of the mayor and alderpersons ~~aldermen~~. It shall meet in
22 accordance with the Open Meetings Act. It shall keep a journal
23 of its own proceedings.

24 (Source: P.A. 87-1119.)

1 (65 ILCS 5/3.1-40-10) (from Ch. 24, par. 3.1-40-10)

2 Sec. 3.1-40-10. Judge of elections. The city council shall
3 be the sole judge of the election to office of the alderpersons
4 ~~aldermen~~. It shall also be the sole judge whether under Section
5 3.1-10-5 alderpersons ~~aldermen~~ are eligible to hold their
6 offices. A court, however, shall not be prohibited from hearing
7 and determining a proceeding in quo warranto.

8 (Source: P.A. 87-1119.)

9 (65 ILCS 5/3.1-40-15) (from Ch. 24, par. 3.1-40-15)

10 Sec. 3.1-40-15. Rules; expulsion. The city council shall
11 determine its own rules of proceeding and punish its members
12 for disorderly conduct. With the concurrence of two-thirds of
13 the alderpersons ~~aldermen~~ then holding office, it may expel an
14 alderperson ~~alderman~~ from a meeting, but not a second time for
15 the same incident.

16 (Source: P.A. 87-1119.)

17 (65 ILCS 5/3.1-40-25) (from Ch. 24, par. 3.1-40-25)

18 Sec. 3.1-40-25. Meetings. The city council may prescribe,
19 by ordinance, the times and places of the council meetings and
20 the manner in which special council meetings may be called. The
21 mayor or any 3 alderpersons ~~aldermen~~ may call special meetings
22 of the city council. In addition to any notice requirement
23 prescribed by the city council, public notice of meetings must
24 be given as prescribed in Sections 2.02 and 2.03 of the Open

1 Meetings Act.

2 (Source: P.A. 87-1119.)

3 (65 ILCS 5/3.1-40-30) (from Ch. 24, par. 3.1-40-30)

4 Sec. 3.1-40-30. Mayor presides. The mayor shall preside at
5 all meetings of the city council. Except as provided in
6 Articles 4 and 5 of this Code, the mayor shall not vote on any
7 ordinance, resolution, or motion except the following: (i)
8 where the vote of the alderpersons ~~aldermen~~ has resulted in a
9 tie; (ii) where one-half of the alderpersons ~~aldermen~~ elected
10 have voted in favor of an ordinance, resolution, or motion even
11 though there is no tie vote; or (iii) where a vote greater than
12 a majority of the corporate authorities is required by this
13 Code or an ordinance to adopt an ordinance, resolution, or
14 motion. Nothing in this Section shall deprive an acting mayor
15 or mayor pro tem from voting in the capacity as alderperson
16 ~~alderman~~, but he or she shall not be entitled to another vote
17 in the capacity as acting mayor or mayor pro tem.

18 (Source: P.A. 87-1119.)

19 (65 ILCS 5/3.1-40-35) (from Ch. 24, par. 3.1-40-35)

20 Sec. 3.1-40-35. Deferral of committee reports. Upon the
21 request of any 2 alderpersons ~~aldermen~~ present, any report of a
22 committee of the council shall be deferred for final action to
23 the next regular meeting of the council after the report is
24 made.

1 (Source: P.A. 87-1119.)

2 (65 ILCS 5/3.1-40-40) (from Ch. 24, par. 3.1-40-40)

3 Sec. 3.1-40-40. Vote required. The passage of all
4 ordinances for whatever purpose, and of any resolution or
5 motion (i) to create any liability against a city or (ii) for
6 the expenditure or appropriation of its money shall require the
7 concurrence of a majority of all members then holding office on
8 the city council, including the mayor, unless otherwise
9 expressly provided by this Code or any other Act governing the
10 passage of any ordinance, resolution, or motion. Where the
11 council consists of an odd number of alderpersons ~~aldermen~~,
12 however, the vote of the majority of the alderpersons ~~aldermen~~
13 shall be sufficient to pass an ordinance. The passage of an
14 ordinance, resolution, or motion to sell any school property
15 shall require the concurrence of three-fourths of all
16 alderpersons ~~aldermen~~ then holding office. The yeas and nays
17 shall be taken upon the question of the passage of the
18 designated ordinances, resolutions, or motions and recorded in
19 the journal of the city council. In addition, the corporate
20 authorities at any meeting may by unanimous consent take a
21 single vote by yeas and nays on the several questions of the
22 passage of any 2 or more of the designated ordinances, orders,
23 resolutions, or motions placed together for voting purposes in
24 a single group. The single vote shall be entered separately in
25 the journal under the designation "omnibus vote", and in that

1 event the clerk may enter the words "omnibus vote" or "consent
2 agenda" in the journal in each case instead of entering the
3 names of the members of city council voting "yea" and those
4 voting "nay" on the passage of each of the designated
5 ordinances, orders, resolutions, and motions included in the
6 omnibus group or consent agenda. The taking of a single or
7 omnibus vote and the entries of the words "omnibus vote" or
8 "consent agenda" in the journal shall be a sufficient
9 compliance with the requirements of this Section to all intents
10 and purposes and with like effect as if the vote in each case
11 had been taken separately by yeas and nays on the question of
12 the passage of each ordinance, order, resolution, and motion
13 included in the omnibus group and separately recorded in the
14 journal. Likewise, the yeas and nays shall be taken upon the
15 question of the passage of any other resolution or motion at
16 the request of any alderperson ~~alderman~~ and shall be recorded
17 in the journal.

18 (Source: P.A. 87-1119.)

19 (65 ILCS 5/3.1-40-50) (from Ch. 24, par. 3.1-40-50)

20 Sec. 3.1-40-50. Reconsideration; passing over veto. Every
21 resolution and motion specified in Section 3.1-40-45, and every
22 ordinance, that is returned to the city council by the mayor
23 shall be reconsidered by the city council at the next regular
24 meeting following the regular meeting at which the city council
25 receives the mayor's written objection. If, after

1 reconsideration, two-thirds of all the alderpersons ~~aldermen~~
2 then holding office on the city council agree at that regular
3 meeting to pass an ordinance, resolution, or motion,
4 notwithstanding the mayor's refusal to approve it, then it
5 shall be effective. The vote on the question of passage over
6 the mayor's veto shall be by yeas and nays and shall be
7 recorded in the journal.

8 This Section does not apply to municipalities with more
9 than 500,000 inhabitants.

10 (Source: P.A. 91-489, eff. 1-1-00.)

11 (65 ILCS 5/3.1-40-55) (from Ch. 24, par. 3.1-40-55)

12 Sec. 3.1-40-55. Reconsideration; requisites. No vote of
13 the city council shall be reconsidered or rescinded at a
14 special meeting unless there are present at the special meeting
15 at least as many alderpersons ~~aldermen~~ as were present when the
16 vote was taken.

17 (Source: P.A. 87-1119.)

18 (65 ILCS 5/3.1-45-5) (from Ch. 24, par. 3.1-45-5)

19 Sec. 3.1-45-5. Composition; manner of acting. The board of
20 trustees shall consist of the president and trustees and,
21 except as otherwise provided in this Code, shall exercise the
22 same powers and perform the same duties as the city council in
23 cities. It shall pass ordinances, resolutions, and motions in
24 the same manner as a city council. The president of the board

1 of trustees may exercise the same veto power and powers in
2 Section 3.1-40-30, and with like effect, as the mayor of a
3 city. The trustees may pass motions, resolutions, and
4 ordinances over the president's veto in like manner as the
5 alderpersons ~~aldermen~~ of a city council.

6 (Source: P.A. 87-1119.)

7 (65 ILCS 5/3.1-45-15) (from Ch. 24, par. 3.1-45-15)

8 Sec. 3.1-45-15. Powers and duties. The trustees, except as
9 otherwise provided in this Code, shall perform the duties and
10 exercise the powers conferred upon the alderpersons ~~aldermen~~ of
11 a city.

12 (Source: P.A. 87-1119.)

13 (65 ILCS 5/3.1-55-5) (from Ch. 24, par. 3.1-55-5)

14 Sec. 3.1-55-5. Certificate of appointment. Whenever a
15 person has been appointed or elected to office, the mayor or
16 president shall issue a certificate of appointment or election,
17 under the corporate seal, to the municipal clerk. All officers
18 elected or appointed under this Code, except the municipal
19 clerk, alderperson ~~alderman~~, mayor, trustees, and president,
20 shall be commissioned by warrant, under the corporate seal,
21 signed by the municipal clerk and the mayor, acting mayor, or
22 mayor pro tem, or presiding officer of the corporate
23 authorities.

24 (Source: P.A. 87-1119.)

1 (65 ILCS 5/4-1-2) (from Ch. 24, par. 4-1-2)

2 Sec. 4-1-2. Definitions. In this Article, unless the
3 context otherwise requires:

4 (a) Any office or officer named in Any act referred to in
5 this Article, when applied to cities or villages under the
6 commission form of municipal government, means the office or
7 officer having the same functions or duties under this Article
8 or under ordinances passed by authority of this Article.

9 (b) "Commissioner", "alderperson ~~alderman~~", or "village
10 trustee" means commissioner when applied to duties under this
11 Article.

12 (c) "City council", "board of trustees", or "corporate
13 authorities" means "council" when applied to duties under this
14 Article.

15 (d) "Franchise" includes every special privilege or right
16 in the streets, alleys, highways, bridges, subways, viaducts,
17 air, waters, public places, and other public property that does
18 not belong to the citizens generally by common right, whether
19 granted by the State or the city or village.

20 (e) "City" includes village.

21 (f) "Municipal" or "municipality" means either city or
22 village.

23 (g) "Treating" means the entertaining of a person with
24 food, drink, tobacco, or drugs.

25 (h) "Treats" means the food, drink, tobacco, or drugs,

1 requested, offered, given, or received, in treating or for the
2 entertainment of a person.

3 (Source: P.A. 87-1119.)

4 (65 ILCS 5/4-10-1) (from Ch. 24, par. 4-10-1)

5 Sec. 4-10-1. Any municipality, which has operated for more
6 than 2 years under the commission form of municipal government,
7 may abandon its operation under this article and accept the
8 provisions of the general law of the State then applicable to
9 municipalities, by proceedings as follows:

10 When a petition signed by electors of the municipality
11 equal in number to at least 25% of the number of votes cast for
12 the candidates for mayor at the last preceding general
13 quadrennial municipal election is filed with the municipal
14 clerk, the clerk shall certify the proposition to the proper
15 election authorities for submission to the electors of the
16 municipality. The proposition shall be in substantially the
17 following form:

18 -----

19	Shall the city (or village)	YES
20	of.... retain the commission	-----
21	form of municipal government?	NO

22 -----

23 In municipalities which have adopted the City Election Law,
24 however, this proposition shall be filed with the clerk of that
25 board. However, in municipalities with less than 50,000

1 inhabitants this proposition shall only be submitted within the
2 year preceding the expiration of the terms of office of the
3 elective officers of the municipality and shall not be
4 submitted more often than once in that year. In municipalities
5 with 50,000 or more inhabitants this proposition shall not be
6 submitted more often than once in 22 months.

7 If a majority of the votes cast on this proposition are
8 against the proposition, the officers elected at the next
9 succeeding general municipal election shall be those then
10 prescribed in Article 3. Upon the qualification of these
11 officers the municipality shall become a city or village under
12 this Code, but this change shall not affect in any manner or
13 degree the property rights or liabilities of any nature of the
14 municipality, but shall merely extend to the change in its form
15 of government.

16 The first city council or board of trustees elected after
17 the abandonment of the commission form of municipal government
18 shall have the same number of alderpersons ~~aldermen~~ or trustees
19 as were provided in the municipality at the time of its
20 adoption of this article, and the municipality shall have the
21 same ward and precinct boundaries.

22 (Source: P.A. 81-1489.)

23 (65 ILCS 5/5-1-4) (from Ch. 24, par. 5-1-4)

24 Sec. 5-1-4. Procedure for adopting managerial form of
25 government.

1 (a) Cities and villages described in Section 5-1-1, in
2 order to vest themselves with the managerial form of municipal
3 government, shall act in accordance with the procedure provided
4 in Sections 5-1-4 through 5-1-11 unless modified elsewhere in
5 this Article 5. In cities that are operating under Section
6 3.1-20-10 and villages operating under Section 3.1-25-75 at the
7 time of the adoption of this Article 5, the forms of petition
8 and ballot prescribed in Sections 5-1-5 and 5-1-7 may at the
9 option of the petitioners be modified to contain the following
10 additional proposition:

11 Shall (name of city or village), if it adopts the
12 managerial form of municipal government, continue to elect
13 alderpersons ~~aldermen~~ (or trustees) from wards (or
14 districts)?

15 (b) In any city operating under Section 3.1-20-10 at the
16 time of adoption of this Article 5, at the option of the
17 petitioners and in addition to the optional proposition
18 provided for in subsection (a), the forms of petition and
19 ballot prescribed in Sections 5-1-6 and 5-1-8 may be further
20 modified to contain the following additional proposition:

21 Shall only one alderperson ~~alderman~~ hereafter be
22 elected from each ward if (name of city) adopts the
23 managerial form of municipal government and also elects to
24 continue the alderperson ~~aldermanic~~ organization for the
25 city council?

26 (c) If 2 or more forms of petition allowed under this

1 Section are presented to the chief judge of the circuit court
2 or any judge of that circuit designated by the chief judge, the
3 judge shall cause only the question or questions contained in
4 the first petition so presented to be submitted to referendum,
5 if he or she finds that the petition is in proper form and
6 legally sufficient.

7 (d) If a majority of the electors voting on the proposition
8 vote to adopt the managerial form of municipal government, then
9 this Article 5 shall become effective in the city or village
10 upon the date of the next general municipal election at which
11 any corporate authority is elected. The operation of the
12 managerial form of municipal government, for purposes of voting
13 on the question to abandon set out in Section 5-5-1, however,
14 shall not be deemed to begin until a manager is appointed.

15 (e) The city council or board of trustees of a city or
16 village that adopts the provisions of this Article 5 under this
17 Section may, if it so desires, by the adoption of an ordinance
18 immediately after the adoption of this Article 5 has been
19 proclaimed, appoint a city or village manager and reorganize
20 the administration of the municipality in conformance with this
21 Article 5. This Article 5, except as to the membership of the
22 council in cities or villages in which representation by wards
23 or districts has not been retained, shall be in effect upon the
24 proclamation of the results of the adopting referendum.

25 (Source: P.A. 87-1119.)

1 (65 ILCS 5/5-2-1) (from Ch. 24, par. 5-2-1)

2 Sec. 5-2-1. If a city or village adopts the managerial form
3 of municipal government and also elects to choose alderpersons
4 ~~aldermen~~ or trustees, as the case may be, from wards or
5 districts, then the city council shall be constituted as
6 provided in Sections 5-2-2 through 5-2-10 and the village board
7 shall be constituted as provided in Section 5-2-11 and the
8 incumbent alderpersons ~~aldermen~~, trustees, mayor, president,
9 clerk and treasurer shall continue in office until expiration
10 of their present terms. If a city has voted to elect only one
11 alderperson ~~alderman~~ from each ward then no election for a
12 successor for the alderperson ~~alderman~~ from each ward whose
13 term next expires shall be held, and upon the expiration of the
14 terms of the alderpersons ~~aldermen~~ having the longest time to
15 serve at the time of adoption of this Article 5 only one
16 successor shall be elected from each ward. In case a city votes
17 to elect only one alderperson ~~alderman~~ from each ward, the
18 number of alderpersons ~~aldermen~~ prescribed by Section 5-2-2
19 shall be halved, for the purposes of this Article 5 and the
20 provisions of Section 5-2-4 prescribing the number of wards
21 shall not apply but such city shall have an equal number of
22 wards and alderpersons ~~aldermen~~. The mayor of a city and the
23 president of a village board shall be elected from the city or
24 village at large.

25 (Source: Laws 1961, p. 576.)

1 (65 ILCS 5/5-2-2) (from Ch. 24, par. 5-2-2)

2 Sec. 5-2-2. Except as otherwise provided in Section 5-2-3,
3 the number of alderpersons ~~aldermen~~, when not elected by the
4 minority representation plan, shall be as follows: In cities
5 not exceeding 3,000 inhabitants, 6 alderpersons ~~aldermen~~;
6 exceeding 3,000, but not exceeding 15,000, 8 alderpersons
7 ~~aldermen~~; exceeding 15,000 but not exceeding 20,000, 10
8 alderpersons ~~aldermen~~; exceeding 20,000 but not exceeding
9 30,000, 14 alderpersons ~~aldermen~~; and 2 additional
10 alderpersons ~~aldermen~~ for every 20,000 inhabitants over
11 30,000. In all cities of less than 500,000, 20 alderpersons
12 ~~aldermen~~ shall be the maximum number permitted except as
13 otherwise provided in the case of alderpersons-at-large
14 ~~aldermen-at-large~~. No redistricting shall be required in order
15 to reduce the number of alderpersons ~~aldermen~~ heretofore
16 provided for. Two alderpersons ~~aldermen~~ shall be elected to
17 represent each ward.

18 If it appears from any census specified in Section 5-2-5
19 and taken not earlier than 1940 that any city has the requisite
20 number of inhabitants to authorize it to increase the number of
21 alderpersons ~~aldermen~~, the city council shall immediately
22 proceed to redistrict the city in accordance with the
23 provisions of Section 5-2-5, and it shall hold the next city
24 election in accordance with the new redistricting. At this
25 election the alderpersons ~~aldermen~~ whose terms of office are
26 not expiring shall be considered alderpersons ~~aldermen~~ for the

1 new wards respectively in which their residences are situated.
2 At this election a candidate for alderperson ~~alderman~~ may be
3 elected from any ward that contains a part of the ward in which
4 he or she resided at least one year next preceding the election
5 that follows the redistricting, and, if elected, that person
6 may be reelected from the new ward he or she represents if he
7 or she resides in that ward for at least one year next
8 preceding reelection. If there are 2 or more alderpersons
9 ~~aldermen~~ with terms of office not expiring and residing in the
10 same ward under the new redistricting, the alderperson ~~alderman~~
11 who holds over for that ward shall be determined by lot in the
12 presence of the city council, in whatever manner the council
13 shall direct and all other alderpersons ~~aldermen~~ shall fill
14 their unexpired terms as alderpersons-at-large
15 ~~aldermen-at-large~~. The alderpersons-at-large
16 ~~aldermen-at-large~~, if any, shall have the same power and duties
17 as all other alderpersons ~~aldermen~~ but upon expiration of their
18 terms the offices of alderpersons-at-large ~~aldermen-at-large~~
19 shall be abolished.

20 If the re-districting results in one or more wards in which
21 no alderpersons ~~aldermen~~ reside whose terms of office have not
22 expired, 2 alderpersons ~~aldermen~~ shall be elected in accordance
23 with the provisions of Section 5-2-8.

24 (Source: P.A. 93-847, eff. 7-30-04.)

1 Sec. 5-2-3. In any city or village of less than 100,000
 2 inhabitants, a proposition to restrict the number of
 3 alderpersons ~~aldermen~~ to one-half of the total authorized by
 4 Section 5-2-2, with one alderperson ~~alderman~~ representing each
 5 ward, shall be certified by the municipal clerk to the proper
 6 election authority who shall submit the proposition at an
 7 election in accordance with the general election law, if a
 8 petition requesting such action is signed by electors of the
 9 municipality numbering not less than 10% of the total vote cast
 10 at the last election for mayor or president of the board of
 11 trustees of the municipality, and is filed with the city or
 12 village clerk in accordance with the general election law.

13 The proposition shall be substantially in the following
 14 form:

15 -----
 16 Shall the City (or Village) of
 17 restrict the number of alderpersons YES
 18 ~~aldermen~~ to one-half of the total
 19 authorized by Section 5-2-2 of the -----
 20 Illinois Municipal Code, with one NO
 21 alderperson ~~alderman~~ representing each ward?
 22 -----

23 If a majority of those voting upon the proposition vote in
 24 favor of it, all existing ~~aldermanic~~ terms of alderpersons
 25 shall expire as of the date of the next regular ~~aldermanic~~
 26 election of alderpersons, at which time a full complement of

1 alderpersons ~~aldermen~~ shall be elected for the full term.

2 (Source: P.A. 81-1489.)

3 (65 ILCS 5/5-2-3.1) (from Ch. 24, par. 5-2-3.1)

4 Sec. 5-2-3.1. In any municipality in which only one
5 alderperson ~~alderman~~ is elected from each ward, a proposition
6 to stagger the terms of alderpersons ~~aldermen~~, with as nearly
7 as possible one-half of the alderpersons ~~aldermen~~ elected every
8 2 years, shall be certified to the proper election authority
9 who shall submit the proposition at an election in accordance
10 with the general election law, if a petition requesting such
11 action is signed by electors of the municipality numbering at
12 least 10% of the total vote cast at the last election for mayor
13 or president of the board of trustees of the municipality and
14 is filed with the municipal clerk.

15 The proposition shall be substantially in the following
16 form:

17 -----
18 Shall the City (or Village) of YES
19 adopt a system of -----
20 staggered terms for alderpersons ~~aldermen~~? NO
21 -----

22 If a majority of those voting on the proposition vote in
23 favor of it, at the next regular election for alderpersons
24 ~~aldermen~~, one alderperson ~~alderman~~ shall be elected from each
25 even-numbered ward for a term of 2 years, and one alderperson

1 ~~alderman~~ shall be elected from each odd-numbered ward for a
2 term of 4 years. Thereafter, their successors shall be elected
3 for terms of 4 years.

4 (Source: P.A. 81-1489.)

5 (65 ILCS 5/5-2-4) (from Ch. 24, par. 5-2-4)

6 Sec. 5-2-4. Except as otherwise provided in Section 5-2-3,
7 every city shall have one-half as many wards as the total
8 number of alderpersons ~~aldermen~~ to which the city is entitled.
9 The city council, from time to time shall divide the city into
10 that number of wards. In the formation of wards the population
11 of each shall be as nearly equal, and the wards shall be of as
12 compact and contiguous territory, as practicable.

13 (Source: Laws 1961, p. 576.)

14 (65 ILCS 5/5-2-5) (from Ch. 24, par. 5-2-5)

15 Sec. 5-2-5. Whenever an official publication of any
16 national, state, school, or city census shows that any city
17 contains more or less wards than it is entitled to, the city
18 council of the city, by ordinance, shall redistrict the city
19 into as many wards only as the city is entitled. This
20 redistricting shall be completed not less than 30 days before
21 the first date fixed by law for the filing of candidate
22 petitions for the next succeeding election for city officers.
23 At this election there shall be elected the number of
24 alderpersons ~~aldermen~~ to which the city is entitled.

1 (Source: P.A. 81-1489.)

2 (65 ILCS 5/5-2-7) (from Ch. 24, par. 5-2-7)

3 Sec. 5-2-7. If, after a specified census is officially
4 published, any city is divided into a greater number of wards
5 and has elected a greater number of alderpersons ~~aldermen~~ than
6 the city is entitled, nevertheless such division and election
7 shall be valid and all acts, resolutions, and ordinances of the
8 city council of such city, if in other respects in compliance
9 with law, are valid.

10 (Source: Laws 1961, p. 576.)

11 (65 ILCS 5/5-2-8) (from Ch. 24, par. 5-2-8)

12 Sec. 5-2-8. Staggered terms; tenure.

13 (a) Alderpersons ~~Aldermen~~ elected at the first election for
14 city officers after the election of alderpersons ~~aldermen~~ for
15 the initial terms provided for in Section 2-2-11 shall draw
16 lots to determine (i) which of the alderpersons ~~aldermen~~ in
17 each ward shall hold for a 4 year term and until a successor is
18 elected and has qualified and (ii) which in each ward shall
19 hold for a 2 year term and until a successor is elected and has
20 qualified. All alderpersons ~~aldermen~~ elected after that first
21 election shall hold office for a term of 4 years and until
22 their successors are elected and have qualified, except in
23 cities that adopt a 2 year term as provided in Section
24 3.1-10-65 and except as is otherwise provided in Section 5-2-3.

1 (b) If a city that has had the minority representation plan
2 has voted not to retain the plan, then, at the first election
3 for city officers following the vote, 2 alderpersons ~~aldermen~~
4 shall be elected from each ward in the city. Their terms shall
5 be staggered by the process specified in this Section. The
6 tenure of these alderpersons ~~aldermen~~ and their successors
7 shall be the same as that stated in subsection (a).

8 (Source: P.A. 87-1119.)

9 (65 ILCS 5/5-2-11) (from Ch. 24, par. 5-2-11)

10 Sec. 5-2-11. In any village which adopts this Article 5,
11 the board of trustees by ordinance shall divide and, whenever
12 necessary thereafter, shall redistrict the village into 6
13 compact and contiguous districts of approximately equal
14 population.

15 Each of the districts shall be represented by one trustee
16 who shall have been an actual resident of the district for at
17 least 6 months prior to his election, unless the trustee is a
18 resident of a newly incorporated municipality. Only the
19 electors of a district shall elect the trustee from that
20 district.

21 The provisions of Section 5-2-8 relating to terms of office
22 of alderpersons ~~aldermen~~ in cities shall also apply to the
23 terms of office of trustees under this section.

24 (Source: P.A. 95-646, eff. 1-1-08.)

1 (65 ILCS 5/5-2-12) (from Ch. 24, par. 5-2-12)

2 Sec. 5-2-12. Alderpersons ~~Aldermen~~ or trustees elected at
3 large; vacancies; mayor or president to preside.

4 (a) If a city or village adopts the managerial form of
5 municipal government but does not elect to choose alderpersons
6 ~~aldermen~~ or trustees from wards or districts, then the
7 following provisions of this Section shall be applicable.

8 (b) The city council shall be elected at large. In cities
9 of less than 50,000 population, the council shall consist of
10 (i) the mayor and 4 councilmen or (ii) the mayor and 6
11 councilmen if the size of the city council is increased under
12 subsection (k). In cities of at least 50,000 but less than
13 100,000 population, the council shall consist of the mayor and
14 6 councilmen. In cities of at least 100,000 but not more than
15 500,000 population, the council shall consist of the mayor and
16 8 councilmen.

17 (c) Except in villages that were governed by Article 4
18 immediately before the adoption of the managerial form of
19 municipal government, the village board shall be elected at
20 large and shall consist of a president and the number of
21 trustees provided for in Section 5-2-15 or 5-2-17, whichever is
22 applicable.

23 (d) The term of office of the mayor and councilmen shall be
24 4 years, provided that in cities of less than 50,000, the 2
25 councilmen receiving the lowest vote at the first election
26 shall serve for 2 years only; in cities of at least 50,000 but

1 less than 100,000, the 3 councilmen receiving the lowest vote
2 at the first election shall serve for 2 years only; and in
3 cities of at least 100,000 but not more than 500,000, the 4
4 councilmen receiving the lowest vote at the first election
5 shall serve for 2 years only.

6 (e) The election of councilmen shall be every 2 years.
7 After the first election, only 2 councilmen in cities of less
8 than 50,000, 3 councilmen in cities of at least 50,000 but less
9 than 100,000, or 4 councilmen in cities of at least 100,000 but
10 not more than 500,000, shall be voted for by each elector at
11 the primary elections, and only 2, 3, or 4 councilmen, as the
12 case may be, shall be voted for by each elector at each
13 biennial general municipal election, to serve for 4 years.

14 (f) In addition to the requirements of the general election
15 law, the ballots shall be in the form set out in Section
16 5-2-13. In cities with less than 50,000, the form of ballot
17 prescribed in Section 5-2-13 shall be further modified by
18 printing in the place relating to councilmen the words "Vote
19 for not more than Two", or "Vote for not more than Three" if
20 the size of the city council is increased under subsection (k),
21 instead of the words "Vote for not more than Four". In cities
22 of at least 50,000 but less than 100,000, the ballot shall be
23 modified in that place by printing the words "Vote for not more
24 than Three" instead of the words "Vote for not more than Four".
25 Sections 4-3-5 through 4-3-18, insofar as they may be
26 applicable, shall govern the election of a mayor and councilmen

1 under this Section.

2 (g) If a vacancy occurs in the office of mayor or
3 councilman, the remaining members of the council, within 60
4 days after the vacancy occurs, shall fill the vacancy by
5 appointment of some person to the office for the balance of the
6 unexpired term or until the vacancy is filled by interim
7 election under Section 3.1-10-50, and until the successor is
8 elected and has qualified.

9 (h) Except in villages that were governed by Article 4
10 immediately before the adoption of the managerial form of
11 municipal government, in villages that have adopted this
12 Article 5 the term of office of the president, the number of
13 trustees to be elected, their terms of office, and the manner
14 of filling vacancies shall be governed by Sections 5-2-14
15 through 5-2-17.

16 (i) Any village that adopts the managerial form of
17 municipal government under this Article 5 and that, immediately
18 before that adoption, was governed by the provisions of Article
19 4, shall continue to elect a mayor and 4 commissioners in
20 accordance with Sections 4-3-5 through 4-3-18, insofar as they
21 may be applicable, except that the 2 commissioners receiving
22 the lowest vote among those elected at the first election after
23 this Article 5 becomes effective in the village shall serve for
24 2 years only. After that first election, the election of
25 commissioners shall be every 2 years, and 2 commissioners shall
26 be elected at each election to serve for 4 years.

1 (j) The mayor or president shall preside at all meetings of
2 the council or board and on all ceremonial occasions.

3 (k) In cities of less than 50,000 population, the city
4 council may, by ordinance, provide that the city council shall,
5 after the next biennial general municipal election, consist of
6 6 instead of 4 councilmen. If the size of the council is
7 increased to 6 councilmen, then at the next biennial general
8 municipal election, the electors shall vote for 4 instead of 2
9 councilmen. Of the 4 councilmen elected at that next election,
10 the one receiving the lowest vote at that election shall serve
11 a 2-year term. Thereafter, all terms shall be for 4 years.

12 (Source: P.A. 95-862, eff. 8-19-08.)

13 (65 ILCS 5/5-2-17) (from Ch. 24, par. 5-2-17)

14 Sec. 5-2-17. Trustees; certain villages incorporated under
15 special Acts.

16 (a) In every village specified in Section 5-2-12
17 incorporated and existing under any special Act that, before
18 June 4, 1909, under any special Act, annually elected members
19 of its legislative body, the electors of the village, instead
20 of the legislative body now provided for by law, shall elect 6
21 trustees. They shall hold their offices until their respective
22 successors are elected and have qualified. At the first meeting
23 of this board of 6 trustees, the terms of office of the
24 trustees shall be staggered. Thereafter, the terms shall be for
25 the same length of time as provided for alderpersons ~~aldermen~~

1 in Section 3.1-20-35.

2 (b) The electors of a village or incorporated town
3 described in subsection (a) may, however, adopt a 2 year term
4 for their trustees as provided in Section 3.1-10-65. If this 2
5 year term is adopted, then at the next general municipal
6 election in the adopting village, 3 trustees shall be elected,
7 and they shall hold their offices for terms of one year each.
8 In the next succeeding year, and in each year thereafter, 3
9 trustees shall be elected in the adopting village, and they
10 shall hold their offices for terms of 2 years each.

11 (c) Any village described in subsection (a) that, before
12 January 2, 1942, has adopted a 2 year term for its trustees and
13 is now electing 3 trustees each year shall continue to elect 3
14 trustees each year for a term of 2 years each. Any village
15 described in subsection (a) that, before January 2, 1942, has
16 adopted a 2 year term for its trustees but is not now electing
17 3 trustees each year shall elect 3 trustees at the next general
18 municipal election in that village, and they shall hold their
19 offices for terms of one year each. In the next succeeding
20 year, and in each year thereafter, 3 trustees shall be elected,
21 and they shall hold their offices for terms of 2 years each.

22 (Source: P.A. 87-1119.)

23 (65 ILCS 5/5-2-18) (from Ch. 24, par. 5-2-18)

24 Sec. 5-2-18. In any city which has adopted this Article 5
25 and which elects a mayor and councilmen as provided in Section

1 5-2-12, a proposition to elect alderpersons ~~aldermen~~ from wards
 2 as provided in Article 3 of this Code, except that only one
 3 alderperson ~~alderman~~ may be elected from each ward, shall be
 4 certified by the city clerk to the proper election authority
 5 who shall submit such proposition at the general municipal
 6 election in accordance with the general election law, if a
 7 petition signed by electors of the city numbering not less than
 8 10% of the total vote cast for mayor at the last preceding
 9 election, is filed with the city clerk.

10 The proposition shall be substantially in the following
 11 form:

12 -----
 13 Shall the city of.... be divided
 14 into wards with one alderperson ~~alderman~~ to be YES
 15 elected from each ward, but with the -----
 16 mayor to be elected from the city NO
 17 at large?
 18 -----

19 If a majority of those voting on the proposition vote
 20 "yes", then the sitting city council shall proceed to divide
 21 the city into wards in the manner provided in Article 3 and one
 22 alderperson ~~alderman~~ shall be elected from each ward at the
 23 next general municipal election of any city officer. Upon the
 24 election and qualification of such alderpersons ~~aldermen~~ the
 25 terms of office of all sitting councilmen shall expire. After
 26 the adoption of such proposition the provisions of Article 3

1 shall be applicable to the division of the city into wards and
2 to the election of the mayor and alderpersons ~~aldermen~~ of such
3 city, except that only one alderperson ~~alderman~~ shall be
4 elected from each ward.

5 (Source: P.A. 81-1489.)

6 (65 ILCS 5/5-2-18.1) (from Ch. 24, par. 5-2-18.1)

7 Sec. 5-2-18.1. In any city or village which has adopted
8 this Article and also has elected to choose alderpersons
9 ~~aldermen~~ from wards or trustees from districts, as the case may
10 be, a proposition to elect the city council at large shall be
11 submitted to the electors in the manner herein provided.

12 Electors of such city or village, equal to not less than
13 10% of the total vote cast for all candidates for mayor or
14 president in the last preceding municipal election for such
15 office, may petition for the submission to a vote of the
16 electors of that city or village the proposition whether the
17 city council shall be elected at large. The petition shall be
18 in the same form as prescribed in Section 5-1-6, except that
19 said petition shall be modified as to the wording of the
20 proposition to be voted upon to conform to the wording of the
21 proposition as hereinafter set forth, and shall be filed with
22 the city clerk in accordance with the general election law. The
23 clerk shall certify the proposition to the proper election
24 authorities who shall submit the proposition at an election in
25 accordance with the general election law.

1 of the total vote cast for all candidates for mayor in the last
 2 preceding municipal election for such office, may petition for
 3 the submission to a vote of the electors of that city the
 4 proposition whether part of the city council shall be elected
 5 at large and part from districts. The petition shall be in the
 6 same form as prescribed in Section 5-1-6, except that said
 7 petition shall be modified as to the wording of the proposition
 8 to be voted upon, to conform to the wording of the proposition
 9 as hereinafter set forth, and shall be filed with the city
 10 clerk in accordance with the general election law. The city
 11 clerk shall certify the proposition to the proper election
 12 authorities who shall submit the proposition at an election in
 13 accordance with the general election law.

14 However, such proposition shall not be submitted at the
 15 general primary election for the municipality.

16 The proposition shall be substantially in the following
 17 form:

18 -----

19 Shall the city of....

20 elect part of the councilmen YES

21 at large and part of -----

22 the councilmen from NO

23 districts?

24 -----

25 If a majority of those voting on the proposition vote
 26 "yes", then at the next general municipal election and every 4

1 years thereafter, a mayor and part of the councilmen shall be
2 elected at large and part of the councilmen shall be elected
3 from wards, the total number of councilmen to be elected to
4 equal the number of alderpersons ~~aldermen~~ authorized to be
5 elected prior to adoption of the proposition.

6 The city council shall divide the city, whenever necessary
7 thereafter, into districts which shall be of as compact and
8 contiguous territory as practicable and of approximately equal
9 population. The number of such districts shall be equal to half
10 the number of alderpersons ~~aldermen~~ then authorized to be
11 elected to office in such city. If there is an odd number of
12 such alderpersons ~~aldermen~~, the number of districts
13 established shall be equal to the number which represents a
14 majority of the number of such alderpersons ~~aldermen~~.

15 One councilman, who is an actual resident of the district,
16 shall be elected from each district. Only the electors of a
17 district shall elect a councilman from that district. The rest
18 of the number of councilmen authorized shall be elected at
19 large.

20 The mayor and councilmen shall hold their respective
21 offices for the term of 4 years and until their successors are
22 elected and qualified. Upon the election and qualification of
23 the councilmen, the terms of all sitting alderpersons ~~aldermen~~
24 shall expire.

25 (Source: P.A. 81-1489.)

1 (65 ILCS 5/5-2-18.7) (from Ch. 24, par. 5-2-18.7)

2 Sec. 5-2-18.7. In any city which has adopted this Article,
3 and is electing the city council at large or has elected to
4 choose alderpersons ~~aldermen~~ from wards, a proposition to elect
5 part of the city council at large and part from districts with
6 staggered four year terms and biennial elections for councilmen
7 shall be submitted to the electors upon initiation in the
8 manner herein provided.

9 Electors of such city, equal in number to not less than 10%
10 of the total vote cast for all candidates for mayor in the last
11 preceding municipal election for such office, may petition for
12 submission, or, in the alternative, the city council may by
13 ordinance without a petition cause to be submitted, to a vote
14 of the electors of that city the proposition whether part of
15 the city council shall be elected at large and part from
16 districts with staggered four year terms and biennial elections
17 for councilmen. The petition shall be in the same form as
18 prescribed in Section 5-1-6, except that the petition shall be
19 modified as to the wording of the proposition to be voted upon,
20 to conform to the wording of the proposition as hereinafter set
21 forth, and shall be filed with the city clerk in accordance
22 with the general election law. The city clerk shall certify the
23 proposition to the proper election authorities who shall submit
24 the proposition at an election in accordance with the general
25 election law.

26 However, such proposition shall not be submitted at the

1 general primary election for the municipality.

2 The proposition shall be substantially in the following
3 form:

4 -----

5 Shall the city of....

6 elect part of the councilmen at large YES

7 and part of the councilmen from -----

8 districts with staggered four year NO

9 terms and biennial elections?

10 -----

11 If a majority of those voting on the proposition vote
12 "yes", then at the next general municipal election at which a
13 mayor is to be elected, a mayor and councilmen shall be elected
14 as hereinafter provided.

15 In cities of less than 50,000 population, the council shall
16 consist of the mayor and 6 councilmen, 2 councilmen being
17 elected at large and 4 councilmen being elected from districts.
18 In cities of 50,000 and not more than 500,000 population, the
19 council shall consist of the mayor and 8 councilmen, 3
20 councilmen being elected at large and 5 councilmen being
21 elected from districts.

22 The city council shall divide the city, whenever necessary
23 thereafter, into districts which shall be of as compact and
24 contiguous territory as practicable and of approximately equal
25 population. The number of such districts shall be the same as
26 the number of councilmen to be elected from districts.

1 One councilman who is an actual resident of the district,
2 shall be elected from each district. Only the electors of a
3 district shall elect a councilman from that district. The rest
4 of the number of councilmen authorized shall be elected at
5 large.

6 The term of office of the Mayor and Councilmen shall be 4
7 years, provided that at the first election the Councilmen
8 elected at large shall serve for 2 years only. Thereafter the
9 election of Councilmen shall be biennial, and after the first
10 election the Mayor and all Councilmen shall be elected for 4
11 year terms to fill expiring terms of incumbents.

12 The Mayor and Councilmen shall hold their respective
13 offices for the term of 4 years as herein provided, and until
14 their successors are elected and qualified. Upon the election
15 and qualification of the Councilmen, the terms of all sitting
16 alderpersons ~~aldermen~~ or councilmen elected at large pursuant
17 to the provisions of Section 5-2-12 shall expire.

18 For the first primary election a distinct ballot shall be
19 printed for each district. At the top of the ballot shall be
20 the following: CANDIDATES FOR NOMINATION FOR MAYOR (when Mayor
21 is to be elected) AND COUNCILMEN OF THE CITY OF.... AT THE
22 PRIMARY ELECTION. Under the subtitle of FOR MAYOR (when
23 applicable) shall be placed the following: (VOTE FOR ONE).
24 There shall be placed below the names of the candidates for
25 Mayor, if any, another subtitle as follows: FOR COUNCILMEN AT
26 LARGE. Following this subtitle there shall be an instruction in

1 this form, to be altered, however, to conform to the facts:
2 (VOTE FOR NOT MORE THAN....) (Insert number of Councilmen being
3 elected). Following the names of the candidates for councilmen
4 at large, there shall be another subtitle in the following
5 form: FOR DISTRICT COUNCILMAN. Following this subtitle there
6 shall be the following direction: (VOTE FOR ONE). In other
7 respects the ballots shall conform to the applicable provisions
8 of Sections 4-3-10 and 5-2-13.

9 To determine the number of nominees who shall be placed on
10 the ballot under each subtitle at the general municipal
11 election, the number of officers who will be chosen under each
12 subtitle shall be multiplied by 2. Only those candidates at the
13 primary election shall be nominees under each subtitle at the
14 general municipal election and, where but one officer is to be
15 elected, the 2 candidates receiving the highest number of votes
16 shall be placed upon the ballot for the next succeeding general
17 municipal election. Where 2 councilmen are to be elected, the 4
18 candidates receiving the highest number of votes shall be
19 placed upon the ballot. Where 3 councilmen are to be elected,
20 the names of the 6 candidates receiving the highest number of
21 votes shall be placed upon the ballot.

22 The ballots for the election of officers at the first
23 general municipal election shall be prepared in compliance with
24 Section 4-3-16, with the following changes:

25 (1) Following the names of the candidates for Mayor (when
26 applicable) there shall be printed a subtitle: FOR COUNCILMAN

1 AT LARGE: following this subtitle shall be an instruction in
2 this form: (VOTE FOR NOT MORE THAN) (Insert number of
3 councilmen to be elected). The names of the nominees for
4 councilmen at large shall follow the instruction.

5 (2) Following the names of the nominees for councilmen at
6 large shall be printed another subtitle: FOR DISTRICT
7 COUNCILMAN. Following this subtitle shall be an instruction in
8 this form: (VOTE FOR ONE) and following this instruction shall
9 be printed the names of the 2 nominees.

10 Thereafter, the ballots for the biennial election shall be
11 prepared as hereinafter provided.

12 For the primary election at which Councilmen at large are
13 to be elected the form of the ballot shall be as follows:

14 At the top of the ballot shall be the following: CANDIDATES
15 FOR NOMINATION FOR MAYOR (when Mayor is to be elected) AND
16 COUNCILMEN OF THE CITY OF.... AT THE PRIMARY ELECTION. Under
17 the subtitle of FOR MAYOR (when applicable) shall be placed the
18 following: (VOTE FOR ONE). There shall be placed below the
19 names of the candidates for Mayor, if any, another subtitle as
20 follows: FOR COUNCILMEN AT LARGE. Following this subtitle there
21 shall be an instruction in this form, to be altered, however,
22 to conform to the facts: (VOTE FOR NOT MORE THAN....) (Insert
23 number of Councilmen being elected).

24 For the primary election at which District Councilmen are
25 to be elected, a distinct ballot shall be printed for each
26 District. There shall be placed below the names of the

1 candidates for Mayor (when applicable) another subtitle as
2 follows: FOR DISTRICT COUNCILMAN. Following this subtitle
3 there shall be an instruction in this form: VOTE FOR ONE. In
4 all other respects the ballot shall conform to the applicable
5 provisions of Sections 4-3-10 and 5-2-13.

6 To determine the number of nominees who shall be placed on
7 the ballot under each subtitle at the general municipal
8 election, the number of officers who will be chosen under each
9 subtitle shall be multiplied by 2. Only those candidates at the
10 primary election shall be nominees under each subtitle at the
11 general municipal election and, where but one officer is to be
12 elected, the 2 candidates receiving the highest number of votes
13 shall be placed upon the ballot for the next succeeding general
14 municipal election. Where 2 councilmen are to be elected, the 4
15 candidates receiving the highest number of votes shall be
16 placed upon the ballot. Where 3 councilmen are to be elected,
17 the names of the 6 candidates receiving the highest number of
18 votes shall be placed upon the ballot.

19 The ballots for the election of officers at the general
20 municipal election shall be prepared in compliance with Section
21 4-3-16, with the following changes:

22 (1) For elections where candidates for Councilmen at large
23 are being elected, following the names of candidates for Mayor
24 (when applicable) there shall be printed a subtitle as follows:
25 FOR COUNCILMEN AT LARGE. Following this subtitle there shall be
26 an instruction in this form: (VOTE FOR NOT MORE THAN....)

1 (Insert number of Councilmen to be elected). The names of the
2 nominees for Councilmen at large shall follow the instruction.

3 (2) For elections where district Councilmen are to be
4 elected, a distinct ballot shall be printed for each district,
5 and following the names of the candidates for Mayor (when
6 applicable) there shall be printed a subtitle as follows: FOR
7 DISTRICT COUNCILMAN. Following this subtitle there shall be an
8 instruction in this form: (VOTE FOR ONE) and following this
9 instruction shall be printed the names of the 2 nominees for
10 district Councilman.

11 Vacancies shall be filled as prescribed in Section 5-2-12,
12 provided that a vacancy in the office of a District Councilman
13 shall be filled by a person who is an actual resident of the
14 district in which the vacancy occurs.

15 (Source: P.A. 95-862, eff. 8-19-08.)

16 (65 ILCS 5/5-2-19) (from Ch. 24, par. 5-2-19)

17 Sec. 5-2-19. In any city which was operating under the
18 alderperson ~~aldermanic~~ form of government as provided in
19 Article 3 at the time of adoption of this Article 5 which did
20 not also elect to continue to choose alderpersons ~~aldermen~~ from
21 wards, the city clerk and city treasurer shall be nominated and
22 elected in the same manner as provided in this Article 5 for
23 the nomination and election of the mayor and councilmen. To
24 achieve this result: wherever the term "mayor or commissioners"
25 appears in Sections 4-3-7 through 4-3-18, it shall be construed

1 to include the words "or clerk or treasurer". The names of
2 candidates for nomination shall be placed on the primary
3 election ballot prescribed in Section 5-2-13 and such ballot
4 shall be modified to include the heading "For Clerk--Vote for
5 one" immediately following the names of candidates for
6 councilmen and to include the heading "For Treasurer--Vote for
7 one" immediately following the names of candidates for clerk.
8 The names of the 4 candidates receiving the highest number of
9 votes for each of the respective offices shall be placed on the
10 general municipal election ballot prescribed in Section 5-2-13
11 which ballot shall be modified to include such offices and
12 names in the same manner as is provided in this section for the
13 primary ballot. If any candidate nominated for the office of
14 clerk or treasurer dies or withdraws before the general
15 municipal election the name of the person receiving the fifth
16 highest number of votes for nomination to that office shall be
17 placed on the ballot for that election.

18 However, in any city not exceeding 100,000 inhabitants
19 which adopts this Article 5 and elects a mayor and alderpersons
20 ~~aldermen~~ or councilmen as provided in Section 5-2-12, or
21 Sections 5-2-18 through 5-2-18.8, the council may, in lieu of
22 electing a clerk and treasurer as provided in the above
23 paragraph, provide by ordinance that the clerk or treasurer or
24 both for such city be appointed by the mayor with the approval
25 of the city council. If such officers are appointed their terms
26 of office, duties, compensation and amount of bond required

1 shall be the same as if they were elected.

2 (Source: P.A. 95-699, eff. 11-9-07.)

3 (65 ILCS 5/5-3-1) (from Ch. 24, par. 5-3-1)

4 Sec. 5-3-1. In cities which do not elect to choose
5 alderpersons ~~aldermen~~ from wards and in cities which elect to
6 choose councilmen as provided in Sections 5-2-18.1 through
7 5-2-18.7, the mayor shall have the right to vote on all
8 questions coming before the council but shall have no power to
9 veto. The mayor and president shall be recognized as the
10 official head of the city or village by the courts for the
11 purpose of serving civil process and by the Governor for all
12 legal purposes.

13 The mayor or president of any city or village which adopts
14 this Article 5, other than one which at the time of adoption
15 was operating under or adopted the commission form of
16 government as provided in Article 4 or which does not retain
17 the election of alderpersons ~~aldermen~~ by wards or trustees by
18 districts, shall have veto power as provided in Sections 5-3-2
19 through 5-3-4, and ordinances or measures may be passed over
20 his veto as therein provided. Such mayor or president shall
21 have the power to vote as provided in Section 5-3-5.

22 If any other Acts or any Article of this Code, other than
23 Article 3 or Article 4, provides for the appointment of a
24 board, commission, or other agency by the mayor or president,
25 such appointments shall be made in manner so provided.

1 (Source: P.A. 100-863, eff. 8-14-18.)

2 (65 ILCS 5/5-3-3) (from Ch. 24, par. 5-3-3)

3 Sec. 5-3-3. Every resolution and motion, specified in
4 Section 5-3-2, and every ordinance, which is returned to the
5 council or board by the mayor or president shall be
6 reconsidered by the council or board. If, after such
7 reconsideration, two-thirds of all the alderpersons ~~aldermen~~
8 then holding office on the city council or two-thirds of all
9 the trustees then holding office on the village board agree to
10 pass an ordinance, resolution, or motion, notwithstanding the
11 mayor's or president's refusal to approve it, then it shall be
12 effective. The vote on the question of passage over the mayor's
13 or president's veto shall be by yeas and nays, and shall be
14 recorded in the journal.

15 (Source: Laws 1967, p. 3425.)

16 (65 ILCS 5/5-3-4) (from Ch. 24, par. 5-3-4)

17 Sec. 5-3-4. No vote of the city council or village board
18 shall be reconsidered or rescinded at a special meeting, unless
19 there are present at the special meeting as many alderpersons
20 ~~aldermen~~ or trustees as were present when the vote was taken.

21 (Source: Laws 1961, p. 576.)

22 (65 ILCS 5/5-3-5) (from Ch. 24, par. 5-3-5)

23 Sec. 5-3-5. The mayor or president of any city or village

1 which elects alderpersons ~~aldermen~~ by wards or trustees by
2 districts shall not vote on any ordinance, resolution or motion
3 except: (1) where the vote of the alderpersons ~~aldermen~~ or
4 trustees has resulted in a tie; (or) (2) where one-half of the
5 alderpersons ~~aldermen~~ or trustees then holding office have
6 voted in favor of an ordinance, resolution or motion even
7 though there is no tie vote; or (3) where a vote greater than a
8 majority of the corporate authorities is required by this Code
9 to adopt an ordinance, resolution or motion. In each instance
10 specified, the mayor or president shall vote. The following
11 mayors and presidents may vote on all questions coming before
12 the council or board: (1) mayors and presidents of cities and
13 villages operating under this article and Article 4, and (2)
14 mayors and presidents of cities and villages which do not elect
15 alderpersons ~~aldermen~~ by wards and trustees by districts.

16 Nothing in this section shall deprive an acting mayor or
17 president or mayor or president pro tem from voting in his
18 capacity as alderperson ~~alderman~~ or trustee, but he shall not
19 be entitled to another vote in his capacity as acting mayor or
20 president or mayor or president pro tem.

21 (Source: Laws 1967, p. 3425.)

22 (65 ILCS 5/5-3-7) (from Ch. 24, par. 5-3-7)

23 Sec. 5-3-7. The council or board of trustees, as the case
24 may be, shall appoint a municipal manager, who shall be the
25 administrative head of the municipal government and who shall

1 be responsible for the efficient administration of all
2 departments. He shall be appointed without regard to his
3 political beliefs and need not be a resident of the city or
4 village when appointed. The manager shall be appointed for an
5 indefinite term, and the conditions of the manager's employment
6 may be set forth in an agreement. In the case of the absence or
7 disability of the manager, the council or village board may
8 designate a qualified administrative officer of the
9 municipality to perform the duties of the manager during such
10 absence or disability. The manager may at any time be removed
11 from office by a majority vote of the members of the council or
12 the board.

13 The powers and duties of the manager shall be:

14 (1) To enforce the laws and ordinances within the
15 municipality;

16 (2) To appoint and remove all directors of departments. No
17 appointment shall be made upon any basis other than that of
18 merit and fitness except that if the chief of the fire
19 department or the chief of the police department or both of
20 them are appointed in the manner as provided by ordinance under
21 Section 10-2.1-4 of this code, they may be removed or
22 discharged by the appointing authority. In such case the
23 appointing authority shall file with the corporate authorities
24 the reasons for such removal or discharge, which removal or
25 discharge shall not become effective unless confirmed by a
26 majority vote of the corporate authorities;

1 (3) To exercise control of all departments and divisions
2 thereof created in this Article 5, or that may be created by
3 the council or board of trustees;

4 (4) If the city or village was subject to the alderperson
5 ~~aldermanic~~ form provisions of Article 3 at the time of adoption
6 of this Article 5 to appoint and remove all officers who are
7 not required to be elected by Article 3;

8 (5) To have all the powers and exercise all the duties
9 granted elsewhere in this Code to municipal clerks and
10 comptrollers with respect to the preparation of a report of
11 estimated funds necessary to defray the expenses of the city or
12 village for the fiscal year for the consideration of the
13 corporate authorities prior to the preparation of the annual
14 appropriation ordinance;

15 (6) To attend all meetings of the council or board of
16 trustees with the right to take part in the discussions, but
17 with no right to vote;

18 (7) To recommend to the council or board of trustees for
19 adoption such measures as he may deem necessary or expedient;

20 (8) To perform such other duties as may be prescribed by
21 this Article 5 or may be required of him by ordinance or
22 resolution of the board of trustees or council.

23 (Source: P.A. 86-1023; 86-1039.)

24 (65 ILCS 5/5-3-8) (from Ch. 24, par. 5-3-8)

25 Sec. 5-3-8. Under the general supervision and

1 administrative control of the manager, there shall be such
2 departments as the council or village board may prescribe by
3 ordinance.

4 All officers of any city or village shall take and
5 subscribe the oath required by Section 5-3-9. All such
6 officers, except the mayor, president, alderpersons ~~aldermen~~,
7 councilmen, and trustees, shall execute bonds in the manner
8 provided by Section 5-3-9, which bonds shall be filed with the
9 clerk of the council or clerk of the village board.

10 (Source: Laws 1961, p. 576.)

11 (65 ILCS 5/5-4-1) (from Ch. 24, par. 5-4-1)

12 Sec. 5-4-1. The mayor and councilmen elected under the
13 provisions of Section 5-2-12 shall each receive for the
14 performance of their respective duties annual salaries fixed by
15 the council or village board. The corporate authorities in
16 cities which retain the election of alderpersons ~~aldermen~~ by
17 wards and the corporate authorities in villages shall receive
18 salaries as allowed in Sections 3-13-4 through 3-13-7,
19 whichever is appropriate.

20 (Source: Laws 1961, p. 576.)

21 (65 ILCS 5/5-4-3) (from Ch. 24, par. 5-4-3)

22 Sec. 5-4-3. In cities of not less than 100,000 and not more
23 than 500,000 population which did not also elect to continue to
24 choose alderpersons ~~aldermen~~ from wards, the city clerk shall

1 receive a salary of not less than \$8,500 per year and the city
2 treasurer shall receive a salary of not less than \$7,000 per
3 year.

4 (Source: Laws 1961, p. 576.)

5 (65 ILCS 5/5-5-1) (from Ch. 24, par. 5-5-1)

6 Sec. 5-5-1. Petition for abandonment of managerial form;
7 referendum; succeeding elections of officers and alderpersons
8 ~~aldermen~~ or trustees.

9 (a) A city or village that has operated for 4 years or more
10 under the managerial form of municipal government may abandon
11 that organization as provided in this Section. For the purposes
12 of this Article, the operation of the managerial form of
13 municipal government shall be deemed to begin on the date of
14 the appointment of the first manager in the city or village.
15 When a petition for abandonment signed by electors of the
16 municipality equal in number to at least 10% of the number of
17 votes cast for candidates for mayor at the preceding general
18 quadrennial municipal election is filed with the circuit court
19 for the county in which that city or village is located, the
20 court shall set a date not less than 10 nor more than 30 days
21 thereafter for a hearing on the sufficiency of the petition.
22 Notice of the filing of the petition and of the date of the
23 hearing shall be given in writing to the city or village clerk
24 and to the mayor or village president at least 7 days before
25 the date of the hearing. If the petition is found sufficient,

1 the court shall enter an order directing that the proposition
2 be submitted at an election other than a primary election for
3 the municipality. The clerk of the court shall certify the
4 proposition to the proper election authorities for submission.
5 The proposition shall be in substantially the following form:

6 Shall (name of city or village) retain the managerial
7 form of municipal government?

8 (b) If the majority of the votes at the election are "yes",
9 then the proposition to abandon is rejected and the
10 municipality shall continue operating under this Article 5. If
11 the majority of the votes are "no", then the proposition to
12 abandon operation under this Article 5 is approved.

13 (c) If the proposition for abandonment is approved, the
14 city or village shall become subject to Article 3.1 or Article
15 4, whichever Article was in force in the city or village
16 immediately before the adoption of the plan authorized by this
17 Article 5, upon the election and qualification of officers to
18 be elected at the next succeeding general municipal election.
19 Those officers shall be those prescribed by Article 3.1 or
20 Article 4, as the case may be, but the change shall not in any
21 manner or degree affect the property rights or liabilities of
22 the city or village. The mayor, clerk, and treasurer and all
23 other elected officers of a city or village in office at the
24 time the proposition for abandonment is approved shall continue
25 in office until the expiration of the term for which they were
26 elected.

1 (d) If a city or village operating under this Article 5 has
2 alderpersons ~~aldermen~~ or trustees elected from wards or
3 districts and a proposition to abandon operation under this
4 Article 5 is approved, then the officers to be elected at the
5 next succeeding general municipal election shall be elected
6 from the same wards or districts as exist immediately before
7 the abandonment.

8 (e) If a city or village operating under this Article 5 has
9 a council or village board elected from the municipality at
10 large and a proposition to abandon operation under this Article
11 5 is approved, then the first group of alderpersons ~~aldermen~~,
12 board of trustees, or commissioners so elected shall be of the
13 same number as was provided for in the municipality at the time
14 of the adoption of a plan under this Article 5, with the same
15 ward or district boundaries in cities or villages that
16 immediately before the adoption of this Article 5 had wards or
17 districts, unless the municipal boundaries have been changed.
18 If there has been such a change, the council or village board
19 shall so alter the former ward or district boundaries so as to
20 conform as nearly as possible to the former division. If the
21 plan authorized by this Article 5 is abandoned, the next
22 general municipal election for officers shall be held at the
23 time specified in Section 3.1-10-75 or 3.1-25-15 for that
24 election. The alderpersons ~~aldermen~~ or trustees elected at that
25 election shall, if the city or village was operating under
26 Article 3 at the time of adoption of this Article 5 and had at

1 that time staggered 4 year terms of office for the alderpersons
2 ~~aldermen~~ or trustees, choose by lot which shall serve initial 2
3 year terms as provided by Section 3.1-20-35 or 3.1-15-5,
4 whichever may be applicable, in the case of election of those
5 officers at the first election after a municipality is
6 incorporated.

7 (f) The proposition to abandon the managerial form of
8 municipal government shall not be submitted in any city or
9 village oftener than once in 46 months.

10 (Source: P.A. 93-847, eff. 7-30-04; 94-645, eff. 8-22-05.)

11 (65 ILCS 5/5-5-5) (from Ch. 24, par. 5-5-5)

12 Sec. 5-5-5. Any city or village which has adopted this
13 Article 5 and was operating under Article 4 at the time of such
14 adoption may upon abandonment of this Article 5 also abandon
15 operation under Article 4, as provided in Section 4-10-1, and
16 by so doing shall become subject to the alderperson ~~aldermanic~~
17 form provisions of Article 3 and shall be subject to the
18 provisions of that Article 3 the same as if it had been
19 operating under Article 3 at the time this Article 5 was
20 adopted, except for any period of time after abandonment of
21 this Article 5 necessary to make the provisions of Article 3
22 fully and completely applicable.

23 Any city or village which has adopted this Article 5 and
24 was operating under Article 3 at the time of such adoption may
25 upon abandonment of this Article 5 also abandon operation under

1 Article 3 by adopting Article 4, as provided in Sections 4-2-2
2 through 4-2-9, and by so doing shall become subject to the
3 provisions of Article 4 and shall be subject to the provisions
4 of that Article 4 the same as if it had been operating under
5 Article 4 at the time this Article 5 was adopted, except for
6 any period of time after abandonment of this Article 5
7 necessary to make the provisions of Article 4 fully and
8 completely applicable.

9 (Source: Laws 1961, p. 576.)

10 (65 ILCS 5/6-3-2) (from Ch. 24, par. 6-3-2)

11 Sec. 6-3-2. Termination of terms of office.

12 The terms of office of all elected municipal officers
13 holding office at the time of the issuance of the certificate
14 of adoption of the strong mayor form of government by the
15 municipality pursuant to Division 2 of this Article 6 shall
16 terminate upon the election and qualification for office of
17 municipal officers pursuant to this Division 3 of Article 6,
18 except that where an existing form of municipal government has
19 the same number of wards as would be required hereunder, the
20 alderpersons ~~aldermen~~ holding office at the time of the
21 issuance of the certificate of adoption shall serve until the
22 expiration of the terms for which they were elected.

23 (Source: P.A. 76-746.)

24 (65 ILCS 5/6-3-3) (from Ch. 24, par. 6-3-3)

1 Sec. 6-3-3. Municipal officers - Terms.

2 The municipality shall have the following elected
3 officers: one mayor, one municipal clerk and one municipal
4 treasurer, all of whom shall be elected at large, and
5 alderpersons ~~aldermen~~, the number of which shall be as follows:
6 In cities not exceeding 25,000 inhabitants, 8 alderpersons
7 ~~aldermen~~; between 25,001 and 40,000, 10 alderpersons ~~aldermen~~;
8 between 40,001 and 60,000, 14 alderpersons ~~aldermen~~; between
9 60,001 and 80,000, 16 alderpersons ~~aldermen~~; and exceeding
10 80,000, 20 alderpersons ~~aldermen~~. Two alderpersons ~~aldermen~~
11 shall be elected to represent each ward.

12 (Source: P.A. 76-746.)

13 (65 ILCS 5/6-3-4) (from Ch. 24, par. 6-3-4)

14 Sec. 6-3-4. Terms of office.

15 All terms of office of officials elected pursuant to this
16 Division 3 of Article 6 shall be for terms of 4 years, except
17 that alderpersons ~~aldermen~~ elected at the first election for
18 city officers held pursuant to this Article 6 shall draw lots
19 so that one-half of the alderpersons ~~aldermen~~ shall hold for a
20 4 year term, and until their successors are elected and
21 qualified, and one-half of the alderpersons ~~aldermen~~ shall hold
22 for a 2 year term, and until their successors are elected and
23 qualified. All alderpersons ~~aldermen~~ thereafter elected shall
24 hold office for a term of 4 years, and until their successors
25 are elected and have qualified.

1 (Source: P.A. 76-746.)

2 (65 ILCS 5/6-3-5) (from Ch. 24, par. 6-3-5)

3 Sec. 6-3-5. Division into wards.

4 Every city shall have as many wards as one-half the total
5 number of alderpersons ~~aldermen~~ to which the city is entitled.
6 The city council, from time to time shall divide the city into
7 that number of wards. In the formation of wards the population
8 of each ward as determined by the latest city, state or
9 national census shall be as nearly equal and the wards shall be
10 of as compact and contiguous territory, as practicable.

11 (Source: P.A. 76-746.)

12 (65 ILCS 5/6-3-6) (from Ch. 24, par. 6-3-6)

13 Sec. 6-3-6. Redistricting of city. Whenever an official
14 publication of any national, state, school, or city census
15 shows that any city contains more or less wards than it is
16 entitled to, the city council of the city, by ordinance, shall
17 redistrict the city into as many wards only as the city is
18 entitled. This redistricting shall be completed not less than
19 30 days before the first date on which candidate petitions may
20 be filed for the next succeeding general municipal election. At
21 this election there shall be elected the number of alderpersons
22 ~~aldermen~~ to which the city is entitled.

23 (Source: P.A. 81-1489.)

1 (65 ILCS 5/6-3-7) (from Ch. 24, par. 6-3-7)

2 Sec. 6-3-7. Ward division and election of alderpersons
3 ~~aldermen~~ - Validation.

4 If, after a census is officially published, any city is
5 divided into a greater or lesser number of wards and has
6 elected a greater or lesser number of alderpersons ~~aldermen~~
7 than the city is entitled, nevertheless such division and
8 election shall be valid and all acts, resolutions and
9 ordinances of the city council of such city, if in other
10 respects in compliance with law, are valid.

11 (Source: P.A. 76-746.)

12 (65 ILCS 5/6-3-8) (from Ch. 24, par. 6-3-8)

13 Sec. 6-3-8. Resignation; vacancy. An alderperson ~~alderman~~
14 may resign from his or her office. A vacancy occurs in the
15 office of alderperson ~~alderman~~ by reason of resignation,
16 failure to elect or qualify, death, permanent physical or
17 mental disability, conviction of a disqualifying crime,
18 abandonment of office, or removal from office. If a vacancy
19 occurs in the office of alderperson ~~alderman~~ in one of these
20 ways or otherwise, the vacancy shall be filled as provided in
21 Sections 3.1-10-50 and 3.1-10-55. An appointment to fill a
22 vacancy shall be made within 60 days after the vacancy occurs.
23 The requirement that an appointment be made within 60 days is
24 an exclusive power and function of the State and is a denial
25 and limitation under Article VII, Section 6, subsection (h) of

1 the Illinois Constitution of the power of a home rule
2 municipality to require that an appointment be made within a
3 different period after the vacancy occurs.

4 (Source: P.A. 87-1052; 87-1119; 88-45.)

5 (65 ILCS 5/6-3-9) (from Ch. 24, par. 6-3-9)

6 Sec. 6-3-9. Qualifications of mayor, city clerk, city
7 treasurer and alderpersons ~~aldermen~~ - Eligibility for other
8 office.

9 No person shall be eligible to the office of mayor, city
10 clerk, city treasurer or alderperson ~~alderman~~:

11 (1) Unless he is a qualified elector of the municipality
12 and has resided therein at least one year next preceding his
13 election or appointment; or

14 (2) Unless, in the case of alderpersons ~~aldermen~~, he
15 resides within the ward for which he is elected; or

16 (3) If he is in arrears in the payment of any tax or other
17 indebtedness due to the city; or

18 (4) If he has been convicted in Illinois state courts or in
19 courts of the United States of malfeasance in office, bribery,
20 or other infamous crime.

21 No alderperson ~~alderman~~ shall be eligible to any office,
22 except that of acting mayor or mayor pro tem, the salary of
23 which is payable out of the city treasury, if at the time of
24 his appointment he is a member of the city council.

25 (Source: P.A. 76-746.)

1 (65 ILCS 5/6-3-10) (from Ch. 24, par. 6-3-10)

2 Sec. 6-3-10. General elections - Time for.

3 The first general election pursuant to this Division 3 of
4 Article 6 shall be held at the time the next general municipal
5 election would have been held had the municipality not adopted
6 this Article 6. At the first general election so held, one
7 mayor, one municipal clerk, one municipal treasurer shall be
8 elected at large and two alderpersons ~~aldermen~~ shall be elected
9 from each ward.

10 (Source: P.A. 76-746.)

11 (65 ILCS 5/6-4-3) (from Ch. 24, par. 6-4-3)

12 Sec. 6-4-3. Reconsideration - Passage over veto.

13 Every ordinance, which is returned to the council by the
14 mayor shall be reconsidered by the council. If, after such
15 reconsideration, three-fifths of all the alderpersons ~~aldermen~~
16 then holding office on the city council agree to pass an
17 ordinance, resolution, or motion, notwithstanding the mayor's
18 refusal to approve it, then it shall be effective.

19 (Source: P.A. 76-746.)

20 (65 ILCS 5/6-4-4) (from Ch. 24, par. 6-4-4)

21 Sec. 6-4-4. Vote of city council - Reconsideration.

22 No vote of the city council shall be reconsidered or
23 rescinded at a special meeting, unless there are present at the

1 special meeting as many alderpersons ~~aldermen~~ as were present
2 when the vote was taken.

3 (Source: P.A. 76-746.)

4 (65 ILCS 5/6-5-1) (from Ch. 24, par. 6-5-1)

5 Sec. 6-5-1. Mayor, clerk, treasurer and alderpersons
6 ~~aldermen~~.

7 The mayor, clerk, treasurer and alderpersons ~~aldermen~~
8 elected under the provisions of this Article 6 shall each
9 receive for the performance of their respective duties annual
10 salaries fixed by the city council. Such salaries shall not be
11 increased or decreased during any term of office. They must be
12 established six months prior to general municipal elections at
13 which such officials are to be voted on.

14 (Source: P.A. 76-746.)

15 (65 ILCS 5/7-1-15) (from Ch. 24, par. 7-1-15)

16 Sec. 7-1-15. Any municipality may be annexed to another
17 municipality to which it adjoins, by ordinances passed by a
18 majority vote of all the alderpersons ~~aldermen~~, trustees, or
19 commissioners then holding office in each municipality
20 desiring annexation. These ordinances shall specify the terms
21 of the annexation, and they shall be a binding contract if, but
22 only if:

23 (1) the annexation provided in these ordinances is
24 certified by the clerk to the proper election authority who

1 shall submit the question to a vote of the electors of both
2 municipalities at an election in accordance with the general
3 election law; and if

4 (2) the annexation is approved in each municipality by a
5 majority of all the voters voting on that question in each
6 municipality. If the ordinances fail to specify the terms of
7 annexation or specify only partially the terms of annexation,
8 the provisions of this article relating to the annexation of
9 one municipality to another shall apply but not as to any terms
10 agreed to in the ordinances of annexation.

11 The proposition shall be in substantially the following
12 form:

13 -----
14 Shall the municipality of YES
15 be annexed to the municipality -----
16 of.....? NO
17 -----

18 Annexation shall neither affect nor impair any rights or
19 liabilities either in favor of or against either municipality.
20 Actions founded upon any right or liability may be commenced
21 despite the annexation and, together with pending actions, may
22 be prosecuted to final judgment and the enforcement thereof as
23 if annexation had not taken place.

24 (Source: P.A. 84-546.)

1 Sec. 7-1-39. After a part of a municipality is annexed to
2 another municipality, any mayor, president, alderperson
3 ~~alderman~~, trustee, clerk, treasurer, or attorney for the
4 disconnecting municipality, who resides in the detached
5 territory, shall continue in office as an officer of the
6 disconnecting municipality until his successor has been
7 elected at the next regular municipal election in this
8 municipality and has qualified for office, or has been
9 appointed and has qualified following this election.

10 (Source: Laws 1961, p. 576.)

11 (65 ILCS 5/7-1-42) (from Ch. 24, par. 7-1-42)

12 Sec. 7-1-42. Redistricting after annexation.

13 (a) If the increase in population resulting from the
14 annexation of any territory to a city under the alderperson
15 ~~aldermanic~~ form of government is sufficient to entitle that
16 city to an increase in the number of alderpersons ~~aldermen~~ as
17 provided in Section 3.1-20-10, the corporate authorities shall
18 redistrict the city in accordance with Sections 3.1-20-15 and
19 3.1-20-25. Section 3.1-20-10 shall govern as to the hold-over
20 alderpersons ~~aldermen~~.

21 (b) If the increase in population is not sufficient to
22 entitle the city to an increase in the number of alderpersons
23 ~~aldermen~~, the corporate authorities shall make the annexed
24 territory a part of the ward or wards that it adjoins.

25 (c) If a village of over 25,000 population is divided into

1 6 districts as provided in Section 3.1-25-75, the corporate
2 authorities shall make any territory annexed to the village a
3 part of the districts that the territory adjoins.

4 (d) Nothing contained in this Section 7-1-42 shall prevent
5 the corporate authorities of any municipality from
6 redistricting the municipality according to law. Whenever the
7 enlarged annexing municipality is redistricted, the corporate
8 authorities are under no duty to treat the annexed territory as
9 a unit and they may divide it as if it had always been a part of
10 the municipality.

11 (e) The number of inhabitants determined by the last
12 national, state, or school census in the annexed territory and
13 in the annexing municipality controls in the application of
14 this Section.

15 (Source: P.A. 87-1119.)

16 (65 ILCS 5/7-2-1) (from Ch. 24, par. 7-2-1)

17 Sec. 7-2-1. Any 2 or more incorporated contiguous
18 municipalities wholly or substantially situated in a single
19 county may be united into one incorporated city by a compliance
20 with Sections 7-1-16 and 7-1-17, with the following exceptions:

21 (1) The petition (a) shall be signed by electors of each of
22 the municipalities seeking a union, (b) shall state the name by
23 which the united municipality is to be known, and (c) shall
24 state the form of municipal government under which the united
25 municipality is to be governed.

1 (2) The question shall be in substantially the following
2 form:

3 -----

4 Shall the city, village, or
5 incorporated town (as the
6 case may be) of.....

7 and the city, village, or
8 incorporated town (as the case
9 may be) of....., (and

YES

10 in this manner as far as
11 necessary, filling blanks with
12 the names of the municipalities
13 to be united), be united -----

14 into a single municipality
15 under the name of.....

16 with the..... form of
17 municipal government (filling

18 the blank with the word NO

19 "Alderperson" ~~"Aldermanic"~~ or "Commission"

20 or the words "Managerial With

21 Alderpersons ~~Aldermen~~ Chosen From Wards Or

22 Districts" as the case may be)?

23 -----

24 No other proposition shall appear thereon.

25 If the majority of the votes cast in each municipality
26 specified in the petition is in favor of the proposition, the

1 municipalities are united.

2 (Source: P.A. 87-278.)

3 (65 ILCS 5/7-2-19) (from Ch. 24, par. 7-2-19)

4 Sec. 7-2-19. Whenever a united city is formed by a
5 compliance with Section 7-2-1 and the decision is in favor of
6 an alderperson ~~aldermanic~~ form of municipal government, the
7 united city shall be governed, after the first election held in
8 compliance with Section 7-2-7, by a council composed of a mayor
9 and a board of alderpersons ~~aldermen~~ selected by the electors
10 of the united city as provided by the provisions of this Code
11 relating to the election of city officers, except that all
12 elections in a united city are controlled by the City Election
13 Law as provided in Section 7-2-6.

14 (Source: Laws 1961, p. 576.)

15 (65 ILCS 5/7-2-28) (from Ch. 24, par. 7-2-28)

16 Sec. 7-2-28. Whenever a united city is formed by a
17 compliance with Section 7-2-1 of municipal government with
18 alderpersons ~~aldermen~~ chosen from wards or districts, the
19 united city shall be and the decision is in favor of a
20 managerial form governed, after the first election held in
21 compliance with Section 7-2-7, by a council composed of a mayor
22 and a board of alderpersons ~~aldermen~~ selected by the electors
23 of the united city as provided by the provisions of this Code
24 relating to the election of city officers, except all elections

1 in a united city are controlled by the City Election Law as
2 provided in Section 7-2-6, and by a municipal manager appointed
3 by the council as provided in Article 5.

4 (Source: Laws 1965, p. 1267.)

5 (65 ILCS 5/8-9-1) (from Ch. 24, par. 8-9-1)

6 Sec. 8-9-1. In municipalities of less than 500,000 except
7 as otherwise provided in Articles 4 and 5 any work or other
8 public improvement which is not to be paid for in whole or in
9 part by special assessment or special taxation, when the
10 expense thereof will exceed \$25,000, shall be constructed
11 either (1) by a contract let to the lowest responsible bidder
12 after advertising for bids, in the manner prescribed by
13 ordinance, except that any such contract may be entered into by
14 the proper officers without advertising for bids, if authorized
15 by a vote of two-thirds of all the alderpersons ~~aldermen~~ or
16 trustees then holding office; or (2) in the following manner,
17 if authorized by a vote of two-thirds of all the alderpersons
18 ~~aldermen~~ or trustees then holding office, to-wit: the
19 commissioner of public works or other proper officers to be
20 designated by ordinance, shall superintend and cause to be
21 carried out the construction of the work or other public
22 improvement and shall employ exclusively for the performance of
23 all manual labor thereon, laborers and artisans whom the
24 municipality shall pay by the day or hour; and all material of
25 the value of \$25,000 and upward used in the construction of the

1 work or other public improvement, shall be purchased by
2 contract let to the lowest responsible bidder in the manner to
3 be prescribed by ordinance. However, nothing contained in this
4 section shall apply to any contract by a city, village or
5 incorporated town with the federal government or any agency
6 thereof.

7 In every city which has adopted Division 1 of Article 10,
8 every such laborer or artisan shall be certified by the civil
9 service commission to the commissioner of public works or other
10 proper officers, in accordance with the requirement of that
11 division.

12 In municipalities of 500,000 or more population the letting
13 of contracts for work or other public improvements of the
14 character described in this section shall be governed by the
15 provisions of Division 10 of this Article 8.

16 (Source: P.A. 100-338, eff. 8-25-17.)

17 (65 ILCS 5/10-1-30) (from Ch. 24, par. 10-1-30)

18 Sec. 10-1-30. No officer or employee in the service of such
19 municipality shall, directly or indirectly, give or hand over
20 to any officer or employee in such service, or to any senator
21 or representative or alderperson ~~alderman~~, councilman, trustee
22 or commissioner, any money or other valuable thing, on account
23 of or to be applied to the promotion of any party or political
24 object whatever.

25 (Source: Laws 1961, p. 3252.)

1 (65 ILCS 5/10-3-5) (from Ch. 24, par. 10-3-5)

2 Sec. 10-3-5. Any mayor, president, commissioner,
3 alderperson ~~alderman~~, or trustee, who violates the provisions
4 of Section 10-3-3, is guilty of a Class B misdemeanor.

5 (Source: P.A. 77-2500.)

6 (65 ILCS 5/11-13-1.1) (from Ch. 24, par. 11-13-1.1)

7 Sec. 11-13-1.1. The corporate authorities of any
8 municipality may in its ordinances passed under the authority
9 of this Division 13 provide for the classification of special
10 uses. Such uses may include but are not limited to public and
11 quasi-public uses affected with the public interest, uses which
12 may have a unique, special or unusual impact upon the use or
13 enjoyment of neighboring property, and planned developments. A
14 use may be a permitted use in one or more zoning districts, and
15 a special use in one or more other zoning districts. A special
16 use shall be permitted only after a public hearing before some
17 commission or committee designated by the corporate
18 authorities, with prior notice thereof given in the manner as
19 provided in Section 11-13-6 and 11-13-7. Any notice required by
20 this Section need not include a metes and bounds legal
21 description of the area classified for special uses, provided
22 that the notice includes: (i) the common street address or
23 addresses and (ii) the property index number ("PIN") or numbers
24 of all the parcels of real property contained in the area

1 classified for special uses. A special use shall be permitted
2 only upon evidence that such use meets standards established
3 for such classification in the ordinances, and the granting of
4 permission therefor may be subject to conditions reasonably
5 necessary to meet such standards. In addition, any proposed
6 special use which fails to receive the approval of the
7 commission or committee designated by the corporate
8 authorities to hold the public hearing shall not be approved by
9 the corporate authorities except by a favorable majority vote
10 of all alderpersons ~~aldermen~~, commissioners or trustees of the
11 municipality then holding office; however, the corporate
12 authorities may by ordinance increase the vote requirement to
13 two-thirds of all alderpersons ~~aldermen~~, commissioners or
14 trustees of the municipality then holding office.

15 (Source: P.A. 97-336, eff. 8-12-11.)

16 (65 ILCS 5/11-13-10) (from Ch. 24, par. 11-13-10)

17 Sec. 11-13-10. In municipalities of less than 500,000
18 population, where a variation is to be made by ordinance, upon
19 the report of the board of appeals, the corporate authorities,
20 by ordinance, without further public hearing, may adopt any
21 proposed variation or may refer it back to the board for
22 further consideration, and any proposed variation which fails
23 to receive the approval of the board of appeals shall not be
24 passed except by the favorable vote of two-thirds of all
25 alderpersons ~~aldermen~~ or trustees of the municipality.

1 (Source: Laws 1961, p. 576.)

2 (65 ILCS 5/11-13-14) (from Ch. 24, par. 11-13-14)

3 Sec. 11-13-14. The regulations imposed and the districts
4 created under the authority of this Division 13 may be amended
5 from time to time by ordinance after the ordinance establishing
6 them has gone into effect, but no such amendments shall be made
7 without a hearing before some commission or committee
8 designated by the corporate authorities. Notice shall be given
9 of the time and place of the hearing, not more than 30 nor less
10 than 15 days before the hearing, by publishing a notice thereof
11 at least once in one or more newspapers published in the
12 municipality, or, if no newspaper is published therein, then in
13 one or more newspapers with a general circulation within the
14 municipality. In municipalities with less than 500 population
15 in which no newspaper is published, publication may be made
16 instead by posting a notice in 3 prominent places within
17 municipality. In case of a written protest against any proposed
18 amendment of the regulations or districts, signed and
19 acknowledged by the owners of 20% of the frontage proposed to
20 be altered, or by the owners of 20% of the frontage immediately
21 adjoining or across an alley therefrom, or by the owners of the
22 20% of the frontage directly opposite the frontage proposed to
23 be altered, is filed with the clerk of the municipality, the
24 amendment shall not be passed except by a favorable vote of
25 two-thirds of the alderpersons ~~aldermen~~ or trustees of the

1 municipality then holding office. In such cases, a copy of the
2 written protest shall be served by the protestor or protestors
3 on the applicant for the proposed amendments and a copy upon
4 the applicant's attorney, if any, by certified mail at the
5 address of such applicant and attorney shown in the application
6 for the proposed amendment. Any notice required by this Section
7 need not include a metes and bounds legal description, provided
8 that the notice includes: (i) the common street address or
9 addresses and (ii) the property index number ("PIN") or numbers
10 of all the parcels of real property contained in the affected
11 area.

12 (Source: P.A. 97-336, eff. 8-12-11.)

13 (65 ILCS 5/11-13-14.1) (from Ch. 24, par. 11-13-14.1)

14 Sec. 11-13-14.1. Notwithstanding any other provision to
15 the contrary in this Division 13:

16 (A) The corporate authorities of any municipality may by
17 ordinance establish the position of hearing officer and
18 delegate to a hearing officer the authority to: (i) conduct any
19 public hearing -- other than a public hearing provided for in
20 Section 11-13-2 -- required to be held under this Division 13
21 in connection with applications for any special use, variation,
22 amendment or other change or modification in any ordinance of
23 the municipality adopted pursuant to this Division 13; and (ii)
24 hear and decide appeals from and review any order, requirement,
25 decision or determination made by an administrative official

1 charged with the enforcement of any ordinance adopted pursuant
2 to this Division 13.

3 (B) When a hearing officer is designated to conduct a
4 public hearing in a matter otherwise required to be heard in
5 accordance with this Division 13 by some commission or
6 committee designated by the corporate authorities of the
7 municipality: (i) notice of such hearing shall be given in the
8 same time and manner as is provided by this Division 13 for the
9 giving of notice of hearing when any such matter is to be heard
10 by some commission or committee designated by the corporate
11 authorities; (ii) the hearing officer shall exercise and
12 perform the same powers and duties as such commission or
13 committee is required to exercise and perform when conducting a
14 public hearing in any such matter; and (iii) the hearing
15 officer shall render a written recommendation to the corporate
16 authorities within such time and in such manner and form as the
17 corporate authorities shall require.

18 (C) When a hearing officer is designated to conduct a
19 public hearing in a matter otherwise required to be heard in
20 accordance with this Division 13 by the board of appeals, or
21 when a hearing officer is designated to hear and decide appeals
22 from and review any order, requirement, decision or
23 determination made by an administrative official charged with
24 the enforcement of any ordinance adopted pursuant to this
25 Division 13: (i) notice of hearing shall be given in the same
26 time and manner as is provided by this Division 13 for the

1 giving of notice of hearing when any such matter is to be heard
2 by the board of appeals; (ii) the hearing officer in passing
3 upon and determining any matter otherwise within the
4 jurisdiction of the board of appeals shall be governed by all
5 of the standards, rules and conditions imposed by this Division
6 13 to govern the board of appeals when it passes upon and
7 determines any such matter; and (iii) the hearing officer shall
8 exercise and perform all of the powers and duties of the board
9 of appeals in the same manner and to the same effect as
10 provided in this Division 13 with respect to the board of
11 appeals, provided that:

12 1. When the hearing officer is passing upon an application
13 for variation or special use and the power to determine and
14 approve such variation or special use is reserved to the
15 corporate authorities, then upon report of the hearing officer
16 the corporate authorities may by ordinance without further
17 public hearing adopt any proposed variation or special use or
18 may refer it back to the hearing officer for further
19 consideration, and any proposed variation or special use which
20 fails to receive the approval of the hearing officer shall not
21 be passed except by the favorable vote of 2/3 of all
22 alderperson ~~alderman~~ or trustees of the municipality;

23 2. When the hearing officer is passing upon an application
24 for variation or special use and the power to determine and
25 approve such variation or special use is not reserved to the
26 corporate authorities, or when the hearing officer is hearing

1 and deciding appeals from or reviewing any order, requirement,
2 decision or determination made by an administrative official
3 charged with the enforcement of any ordinance adopted pursuant
4 to this Division 13, the determination made by the hearing
5 officer with respect to any such matter shall constitute a
6 final administrative decision which is subject to judicial
7 review pursuant to the provisions of the "Administrative Review
8 Law", as now or hereafter amended.

9 (D) The corporate authorities of the municipality may
10 provide general or specific rules implementing but not
11 inconsistent with the provisions of this Section, including
12 rules relative to the time and manner in which hearing officers
13 are designated to conduct public hearings and rules governing
14 the manner in which such hearings are conducted and matters
15 heard therein passed upon and determined.

16 (E) Hearing officers shall be appointed on the basis of
17 training and experience which qualifies them to conduct
18 hearings, make recommendations or findings of fact and
19 conclusions on the matters heard and otherwise exercise and
20 perform the powers, duties and functions delegated in
21 accordance with this Section. Hearing officers shall receive
22 such compensation as the corporate authorities of the
23 municipality shall provide, and any municipality may establish
24 a schedule of fees to defray the costs of providing a hearing
25 officer.

26 (F) This Section is intended to furnish an alternative or

1 supplemental procedure which a municipality in its discretion
2 may provide for hearing, determining, reviewing and deciding
3 matters which arise under any ordinance adopted by the
4 municipality pursuant to this Division 13, but nothing in this
5 Section shall be deemed to limit or prevent the use of any
6 existing procedure available to a municipality under this
7 Division 13 for hearing, approving or denying applications for
8 a special use, variation, amendment or other change or
9 modification of any such ordinance, or for hearing and deciding
10 appeals from and reviewing any order, requirement, decision or
11 determination made by an administrative official charged with
12 the enforcement of any such ordinance.

13 (Source: P.A. 84-960.)

14 (65 ILCS 5/11-80-5) (from Ch. 24, par. 11-80-5)

15 Sec. 11-80-5. The corporate authorities of each
16 municipality, with the concurrence of two-thirds of all of the
17 alderpersons ~~aldermen~~, trustees or commissioners elected
18 therein, may levy and collect annually, in addition to all
19 other taxes now authorized by law, a tax of not to exceed .05%
20 of the value, as equalized or assessed by the Department of
21 Revenue, of the taxable property in the municipality, to be
22 used exclusively for the purpose of lighting streets. The tax
23 authorized by this Section is in addition to taxes for general
24 corporate purposes authorized by Section 8-3-1.

25 The foregoing tax rate limitation, insofar as it is

1 applicable to municipalities of less than 500,000 population,
2 may be increased or decreased under the referendum provisions
3 of the General Revenue Law of Illinois.

4 (Source: P.A. 86-280.)

5 (65 ILCS 5/11-91-1) (from Ch. 24, par. 11-91-1)

6 Sec. 11-91-1. Whenever the corporate authorities of any
7 municipality, whether incorporated by special act or under any
8 general law, determine that the public interest will be
9 subserved by vacating any street or alley, or part thereof,
10 within their jurisdiction in any incorporated area, they may
11 vacate that street or alley, or part thereof, by an ordinance.
12 The ordinance shall provide the legal description or permanent
13 index number of the particular parcel or parcels of property
14 acquiring title to the vacated property. But this ordinance
15 shall be passed by the affirmative vote of at least
16 three-fourths of the alderpersons ~~aldermen~~, trustees or
17 commissioners then holding office. This vote shall be taken by
18 ayes and noes and entered on the records of the corporate
19 authorities.

20 No ordinance shall be passed vacating any street or alley
21 under a municipality's jurisdiction and within an
22 unincorporated area without notice thereof and a hearing
23 thereon. At least 15 days prior to such a hearing, notice of
24 its time, place and subject matter shall be published in a
25 newspaper of general circulation within the unincorporated

1 area which the street or alley proposed for vacation serves. At
2 the hearing all interested persons shall be heard concerning
3 the proposal for vacation.

4 The ordinance may provide that it shall not become
5 effective until the owners of all property or the owner or
6 owners of a particular parcel or parcels of property abutting
7 upon the street or alley, or part thereof so vacated, shall pay
8 compensation in an amount which, in the judgment of the
9 corporate authorities, shall be the fair market value of the
10 property acquired or of the benefits which will accrue to them
11 by reason of that vacation, and if there are any public service
12 facilities in such street or alley, or part thereof, the
13 ordinance shall also reserve to the municipality or to the
14 public utility, as the case may be, owning such facilities,
15 such property, rights of way and easements as, in the judgment
16 of the corporate authorities, are necessary or desirable for
17 continuing public service by means of those facilities and for
18 the maintenance, renewal and reconstruction thereof. If the
19 ordinance provides that only the owner or owners of one
20 particular parcel of abutting property shall make payment, then
21 the owner or owners of the particular parcel shall acquire
22 title to the entire vacated street or alley, or the part
23 thereof vacated.

24 The determination of the corporate authorities that the
25 nature and extent of the public use or public interest to be
26 subserved in such as to warrant the vacation of any street or

1 alley, or part thereof, is conclusive, and the passage of such
2 an ordinance is sufficient evidence of that determination,
3 whether so recited in the ordinance or not. The relief to the
4 public from further burden and responsibility of maintaining
5 any street or alley, or part thereof, constitutes a public use
6 or public interest authorizing the vacation.

7 When property is damaged by the vacation or closing of any
8 street or alley, the damage shall be ascertained and paid as
9 provided by law.

10 (Source: P.A. 93-383, eff. 7-25-03; 93-703, eff. 7-9-04.)

11 (65 ILCS 5/11-101-2) (from Ch. 24, par. 11-101-2)

12 Sec. 11-101-2. Whenever the corporate authorities of any
13 municipality have established an airport outside the corporate
14 limits of the municipality and have determined that it is
15 essential to the proper and safe construction and maintenance
16 of such airport to vacate any roads, highways, streets, alleys,
17 or parts thereof in unincorporated territory lying within the
18 airport area or any enlargement thereof, and have determined
19 that the public interest will be subserved by such vacation,
20 they may vacate such roads, highways, streets, alleys, or parts
21 thereof, by an ordinance. Provided however, that such
22 municipality shall have first acquired the land on both sides
23 of such roads, highways, streets, alleys, or parts thereof;
24 provided, also, that in the case of a road, highway, street or
25 alley or part thereof, under the jurisdiction of the Department

1 of Transportation, the consent of the Department shall be
2 obtained before the ordinance shall become effective. Such
3 ordinance shall be passed by the affirmative vote of at least
4 3/4 of all alderpersons ~~aldermen~~, trustees or commissioners
5 authorized by law to be elected. Such vacation shall be
6 effective upon passage of the ordinance and recording of a
7 certified copy thereof with the recorder of the county within
8 which the roads, highways, streets, alleys, or parts thereof
9 are situated.

10 (Source: P.A. 83-358.)

11 Section 30. The Revised Cities and Villages Act of 1941 is
12 amended by changing Sections 21-5.1, 21-7, and 21-14 and the
13 heading of Article prec. Sec. 21-22 and Sections 21-22, 21-23,
14 21-24, 21-25, 21-26, 21-27, 21-28, 21-29, 21-30, 21-32, 21-33,
15 21-34, 21-38, 21-39, 21-40, and 21-41 as follows:

16 (65 ILCS 20/21-5.1) (from Ch. 24, par. 21-5.1)

17 Sec. 21-5.1. Vice Mayor - Election - Duties -
18 Compensation.) Following election and qualification of
19 alderpersons ~~aldermen~~ at a general election as provided by
20 Section 21-22 of this Act, the City Council shall elect, from
21 among its members, a Vice Mayor, to serve as interim Mayor of
22 Chicago in the event that a vacancy occurs in the office of
23 Mayor or in the event that the Council determines, by 3/5 vote,
24 that the Mayor is under a permanent or protracted disability

1 caused by illness or injury which renders the Mayor unable to
2 serve. The Vice Mayor shall serve as interim Mayor. He will
3 serve until the City Council shall elect one of its members
4 acting Mayor or until the mayoral term expires.

5 The Vice Mayor shall receive no compensation as such, but
6 shall receive compensation as an alderperson ~~alderman~~ even
7 while serving as interim Mayor. While serving as interim Mayor,
8 the Vice Mayor shall possess all rights and powers and shall
9 perform the duties of Mayor.

10 (Source: P.A. 80-308.)

11 (65 ILCS 20/21-7) (from Ch. 24, par. 21-7)

12 Sec. 21-7. Compensation of officers.

13 The compensation of all officers shall be by salary. No
14 officer shall be allowed any fees, perquisites or emoluments or
15 any reward or compensation aside from his salary, but all fees
16 and earnings of his office or department shall be paid by him
17 into the city treasury. The city council shall fix the salaries
18 of all officers, except those who are elected or appointed for
19 a definite term fixed by statute, in the annual appropriation
20 ordinance and those salaries shall not be altered during the
21 same fiscal year. The city council, by ordinance other than the
22 appropriation ordinance, shall fix the compensation of each
23 officer who is elected or appointed for a definite term fixed
24 by statute and his salary shall not be increased or diminished
25 during his term of office. The chairman of the finance

1 committee of the city council shall receive in addition to his
2 or her salary as an alderperson ~~alderman~~ such additional
3 compensation, not exceeding \$3,500.00 per annum, as may be
4 provided in the annual appropriation ordinance for his or her
5 services as chairman of said committee.

6 (Source: Laws 1947, p. 497.)

7 (65 ILCS 20/21-14) (from Ch. 24, par. 21-14)

8 Sec. 21-14. Member residency before election; member not to
9 hold other office.

10 (a) No member may be elected or appointed to the city
11 council after the effective date of this amendatory Act of the
12 93rd General Assembly unless he or she has resided in the ward
13 he or she seeks to represent at least one year next preceding
14 the date of the election or appointment. In the election
15 following redistricting, a candidate for alderperson ~~alderman~~
16 may be elected from any ward containing a part of the ward in
17 which he or she resided for at least one year next preceding
18 the election that follows the redistricting, and, if elected,
19 that person may be reelected from the new ward he or she
20 represents if he or she resides in that ward for at least one
21 year next preceding the reelection.

22 (b) No member of the city council shall at the same time
23 hold any other civil service office under the federal, state or
24 city government, except if such member is granted a leave of
25 absence from such civil service office, or except in the

1 National Guard, or as a notary public, and except such honorary
2 offices as go by appointment without compensation.

3 (Source: P.A. 93-847, eff. 7-30-04.)

4 (65 ILCS 20/prec. Sec. 21-22 heading)

5 ELECTION OF ALDERPERSONS ~~ALDERMEN~~

6 (65 ILCS 20/21-22) (from Ch. 24, par. 21-22)

7 Sec. 21-22. General election for alderpersons ~~aldermen~~;
8 vacancies.

9 (a) A general election for alderpersons ~~aldermen~~ shall be
10 held in the year 1943 and every 4 years thereafter, at which
11 one alderperson ~~alderman~~ shall be elected from each of the 50
12 wards provided for by this Article. The alderpersons ~~aldermen~~
13 elected shall serve for a term of 4 years beginning at noon on
14 the third Monday in May following the election of city
15 officers, and until their successors are elected and have
16 qualified. All elections for alderpersons ~~aldermen~~ shall be in
17 accordance with the provisions of law in force and operative in
18 the City of Chicago for such elections at the time the
19 elections are held.

20 (b) Vacancies occurring in the office of alderperson
21 ~~alderman~~ shall be filled in the manner prescribed for filling
22 vacancies in Section 3.1-10-51 of the Illinois Municipal Code.
23 An appointment to fill a vacancy shall be made within 60 days
24 after the vacancy occurs. The requirement that an appointment

1 be made within 60 days is an exclusive power and function of
2 the State and is a denial and limitation under Article VII,
3 Section 6, subsection (h) of the Illinois Constitution of the
4 power of a home rule municipality to require that an
5 appointment be made within a different period after the vacancy
6 occurs.

7 (Source: P.A. 95-1041, eff. 3-25-09.)

8 (65 ILCS 20/21-23) (from Ch. 24, par. 21-23)

9 Sec. 21-23. Salaries of alderpersons ~~aldermen~~.

10 The alderpersons ~~aldermen~~ in office when this article is
11 adopted and the alderpersons ~~aldermen~~ elected under the
12 provisions of this article may receive for their services such
13 compensation as shall be fixed by ordinance, at the rate of not
14 to exceed eight thousand dollars per annum for each alderperson
15 ~~alderman~~.

16 (Source: Laws 1953, p. 1781.)

17 (65 ILCS 20/21-24) (from Ch. 24, par. 21-24)

18 Sec. 21-24. Application - Recall elections. The provisions
19 of this Article shall apply to all elections for alderpersons
20 ~~aldermen~~ in the city of Chicago. The name of no person shall be
21 printed upon the official ballot as a candidate for alderperson
22 ~~alderman~~, unless the terms of this Article shall have been
23 complied with. If recall elections are provided for, to be held
24 within the city of Chicago, the provisions of this Article

1 shall apply to such elections, except to the extent that
2 provisions inconsistent herewith are made by the law providing
3 for such recall elections.

4 (Source: Laws 1941, vol. 2, p. 19.)

5 (65 ILCS 20/21-25) (from Ch. 24, par. 21-25)

6 Sec. 21-25. Times for elections.) General elections for
7 alderpersons ~~aldermen~~ shall be held in the year or years fixed
8 by law for holding the same, on the last Tuesday of February of
9 such year. Any supplementary election for alderpersons
10 ~~aldermen~~ held under the provisions of this article shall be
11 held on the first Tuesday of April next following the holding
12 of such general ~~aldermanic~~ election of alderpersons.

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

14 (65 ILCS 20/21-26) (from Ch. 24, par. 21-26)

15 Sec. 21-26. Candidates receiving majority elected -
16 Supplementary elections.

17 The candidate receiving a majority of the votes cast for
18 alderperson ~~alderman~~ in each ward at any general or special
19 election shall be declared elected. In the event that no
20 candidate receives a majority of such votes in any ward or
21 wards a supplementary election shall be held at the time
22 prescribed in Section 21-25. At such supplementary election the
23 names of the candidates in each of such wards receiving the
24 highest and second highest number of votes at the preceding

1 general or special election and no others shall be placed on
2 the official ballot: Provided, however, that if there be any
3 candidate who, under the provisions of this Section would have
4 been entitled to a place on the ballot at the supplementary
5 election except for the fact that some other candidate received
6 an equal number of votes, then all such candidates receiving
7 such equal number of votes shall have their names printed on
8 the ballot as candidates at such succeeding supplementary
9 election. The candidate receiving the highest number of votes
10 at such supplementary election shall be declared elected. Such
11 supplementary election shall be deemed a special election under
12 the election and ballot laws in force in the city of Chicago
13 and shall be governed thereby except in so far as such laws are
14 inconsistent with the provisions of this article.

15 (Source: Laws 1941, vol. 2, p. 19.)

16 (65 ILCS 20/21-27) (from Ch. 24, par. 21-27)

17 Sec. 21-27. Election contest-Complaint. Any candidate
18 whose name appears on the ballots used in any ward of the city
19 at any election for alderperson ~~alderman~~, may contest the
20 election of the candidate who appears to be elected from such
21 ward on the face of the returns, or may contest the right of
22 the candidates who appear to have received the highest and
23 second highest number of votes to places on the official ballot
24 at any supplementary election, by filing within 5 days after
25 such election with the Clerk of the Circuit Court of Cook

1 County, a complaint in writing, verified by the candidate
2 making the contest, setting forth the grounds of the contest.
3 The contestant in each contest shall also serve notice on all
4 persons who were candidates for alderperson ~~alderman~~ of such
5 ward at the election, within such 5 days, informing them that
6 such complaint has been or will be filed. The Circuit Court of
7 Cook County shall have jurisdiction to hear and determine such
8 contest. All proceedings in relation to such contest after the
9 filing of such complaint shall be the same, as near as may be,
10 as provided for in the case of a contest at a primary election
11 in such city. In case the court shall decide that the complaint
12 is insufficient in law, or that the candidate who appears to
13 have been elected on the face of the return has been duly
14 elected, the complaint shall be dismissed. If it shall appear
15 to the satisfaction of the court that the face of the returns
16 are not correct, and that the candidate who appears thereby to
17 have been elected was not in fact elected, then the candidates
18 having the highest and second highest number of votes as
19 determined by such contest shall be candidates at the
20 subsequent supplementary election as provided for in section
21 21-26.

22 (Source: P.A. 83-334.)

23 (65 ILCS 20/21-28) (from Ch. 24, par. 21-28)

24 Sec. 21-28. Nomination by petition.

25 (a) All nominations for alderperson ~~alderman~~ of any ward in

1 the city shall be by petition. Each petition for nomination of
2 a candidate shall be signed by at least 473 legal voters of the
3 ward.

4 (b) All nominations for mayor, city clerk, and city
5 treasurer in the city shall be by petition. Each petition for
6 nomination of a candidate must be signed by at least 12,500
7 legal voters of the city.

8 (c) All such petitions, and procedure with respect thereto,
9 shall conform in other respects to the provisions of the
10 election and ballot laws then in force in the city of Chicago
11 concerning the nomination of independent candidates for public
12 office by petition. The method of nomination herein provided is
13 exclusive of and replaces all other methods heretofore provided
14 by law.

15 (Source: P.A. 98-115, eff. 7-29-13; 98-1171, eff. 6-1-15.)

16 (65 ILCS 20/21-29) (from Ch. 24, par. 21-29)

17 Sec. 21-29. Withdrawals and substitution of candidates.

18 Any candidate for alderperson ~~alderman~~ under the
19 provisions of this article may withdraw his name as a candidate
20 by filing with the board of election commissioners of the city
21 of Chicago not later than the date of certification of the
22 ballot his written request signed by him and duly acknowledged
23 before an officer qualified to take acknowledgements of deeds,
24 whereupon his name shall not be printed as a candidate upon the
25 official ballot.

1 If any candidate at an ~~aldermanic~~ election of alderpersons
2 who was not elected as provided for in this article but who
3 shall have received sufficient votes to entitle him to a place
4 on the official ballot at the ensuing supplementary election
5 shall die or withdraw his candidacy before such supplementary
6 election, the name of the candidate who shall receive the next
7 highest number of votes shall be printed on the ballot in lieu
8 of the name of the candidate who shall have died or withdrawn
9 his candidacy.

10 (Source: P.A. 96-1008, eff. 7-6-10.)

11 (65 ILCS 20/21-30) (from Ch. 24, par. 21-30)

12 Sec. 21-30. Form of ballot. Ballots to be used at any
13 general, supplementary or special election for alderpersons
14 ~~aldermen~~ held under the provisions of this Article, in addition
15 to other requirements of law, shall conform to the following
16 requirements:

17 (1) At the top of the ballots shall be printed in
18 capital letters the words designating the ballot. If a
19 general ~~aldermanic~~ election of alderpersons the words
20 shall be "Official ~~aldermanic~~ election of alderpersons
21 ballot"; if a supplementary election the designating words
22 shall be "Official supplementary ~~aldermanic~~ election of
23 alderpersons ballot"; if a special ~~aldermanic~~ election of
24 alderpersons, the words shall be "Special ~~aldermanic~~
25 election of alderpersons ballot."

1 (2) Beginning not less than one inch below such
2 designating words and extending across the face of the
3 ballot, the title of each office to be filled shall be
4 printed in capital letters.

5 (3) The names of candidates for different terms of
6 service therein (if any there be), shall be arranged and
7 printed in groups according to the length of such terms.

8 (4) Immediately below the title of each office or group
9 heading indicating the term of office, shall be printed in
10 small letters the directions to voters, "Vote for one."

11 (5) Following thereupon shall be printed the names of
12 the candidates for such office according to the title and
13 the term thereof and below the name of each candidate shall
14 be printed his place of residence, stating the street and
15 number (if any). The names of candidates shall be printed
16 in capital letters not less than one-eighth nor more than
17 one-quarter of an inch in height, and immediately at the
18 left of the name of each candidate shall be printed a
19 square, the sides of which shall not be less than
20 one-quarter of an inch in length. The names of all the
21 candidates for each office shall be printed in a column and
22 arranged in the order hereinafter designated; all names of
23 candidates shall be printed in uniform type; the places of
24 residence of such candidates shall be printed in uniform
25 type; and squares upon said ballots shall be of uniform
26 size; and spaces between the names of the candidates for

1 the same office shall be of uniform size.

2 (6) The names of the candidates for alderperson
3 ~~alderman~~ shall appear upon the ballot in the order in which
4 petitions for nomination have been filed in the office of
5 the board of election commissioners. However, 2 or more
6 petitions filed within the last hour of the filing deadline
7 shall be deemed filed simultaneously. Where 2 or more
8 petitions are received simultaneously, the board of
9 election commissioners shall break ties and determine the
10 order of filing by means of a lottery or other fair and
11 impartial method of random selection approved by the board
12 of election commissioners. Such lottery shall be conducted
13 within 9 days following the last day for petition filing
14 and shall be open to the public. Seven days written notice
15 of the time and place of conducting such random selection
16 shall be given, by the board of election commissioners, to
17 the Chairman of each political party and to each
18 organization of citizens within the city which was
19 entitled, under the Election Code, at the next preceding
20 election, to have pollwatchers present on the day of
21 election. The board of election commissioners shall post in
22 a conspicuous, open and public place, at the entrance of
23 the office, notice of the time and place of such lottery.
24 The board of election commissioners shall adopt rules and
25 regulations governing the procedures for the conduct of
26 such lottery.

1 (Source: P.A. 98-115, eff. 7-29-13.)

2 (65 ILCS 20/21-32) (from Ch. 24, par. 21-32)

3 Sec. 21-32. Party designations prohibited - Ballot to be
4 separate from other ballots. No party name, party initial,
5 party circle platform, principle, appellation or
6 distinguishing mark of any kind shall be printed upon any
7 election ballot used at any election for mayor, city clerk,
8 city treasurer, or alderperson ~~alderman~~ held under the
9 provisions of this Article.

10 (Source: P.A. 98-115, eff. 7-29-13.)

11 (65 ILCS 20/21-33) (from Ch. 24, par. 21-33)

12 Sec. 21-33. Challengers and watchers.

13 Any candidate for alderperson ~~alderman~~ under the terms of
14 this article may appoint in writing over his signature not more
15 than one representative for each place of voting, who shall
16 have the right to act as challenger and watcher for such
17 candidate at any election at which his name is being voted
18 upon. Such challenger and watcher shall have the same powers
19 and privileges as a challenger and watcher under the election
20 laws of this State applicable to Chicago. No political party
21 shall have the right to keep any challenger or watcher at any
22 polling place at any election held under the provisions of this
23 article unless candidates for some office other than
24 alderperson ~~alderman~~ are to be voted for at the same time.

1 (Source: Laws 1941, vol. 2, p. 19.)

2 (65 ILCS 20/21-34) (from Ch. 24, par. 21-34)

3 Sec. 21-34. Certificate of election.

4 No certificate of election shall be given to any candidate
5 who shall be declared elected at any general ~~aldermanic~~
6 election of alderpersons until after the date fixed by this
7 Article for the holding of the supplementary election provided
8 for in this Article.

9 (Source: Laws 1941, vol. 2, p. 19.)

10 (65 ILCS 20/21-38) (from Ch. 24, par. 21-38)

11 Sec. 21-38. Redistricting every ten years.

12 If the city council has not redistricted the city of
13 Chicago since the taking of the national census of 1940, then
14 within three months after the adoption of this article by the
15 voters it shall be the duty of the city council to pass an
16 ordinance redistricting the city into fifty wards in accordance
17 with the provisions of this article.

18 On or before the first day of December, of the year
19 following the year in which the national census is taken, and
20 every ten years thereafter, the city council shall by ordinance
21 redistrict the city on the basis of the national census of the
22 preceding year. All elections of alderpersons ~~aldermen~~ shall be
23 held from the existing wards until a redistricting is had as
24 provided for in this article.

1 (Source: Laws 1941, vol. 2, p. 19.)

2 (65 ILCS 20/21-39) (from Ch. 24, par. 21-39)

3 Sec. 21-39. When redistricting ordinance takes effect -
4 Substitute ordinance may be submitted. No such redistricting
5 ordinance shall take effect until the expiration of 15 days
6 after its passage. If within such 15 days 1/5 or more of the
7 alderpersons ~~aldermen~~ elected, who did not vote to pass such
8 redistricting ordinance, file with the city clerk a proposed
9 substitute ordinance redistricting the city in accordance with
10 the provisions of this article, together with a petition signed
11 by them demanding that the question of the adoption of the
12 redistricting ordinance passed by the city council, together
13 with the question of the adoption of such substitute ordinance,
14 be submitted to the voters, then such redistricting ordinance
15 passed by the city council shall not go into effect until the
16 question of this adoption shall have been submitted to a
17 popular vote: Provided, that no alderperson ~~alderman~~ shall have
18 the right to sign more than one such petition. Upon the
19 expiration of such 15 days the city clerk shall promptly
20 certify to the board of election commissioners of the city of
21 Chicago, the ordinance passed by the city council and such
22 substitute ordinance or ordinances and petition or petitions,
23 and it shall thereupon be the duty of the board of election
24 commissioners to submit the ordinances so certified to a
25 popular vote at the next general or municipal election, to be

1 held in and for the entire city not less than 40 days after the
2 passage of such redistricting ordinance by the city council.

3 (Source: P.A. 81-1489.)

4 (65 ILCS 20/21-40) (from Ch. 24, par. 21-40)

5 Sec. 21-40. Failure of council to act - One-fifth of the
6 alderpersons ~~aldermen~~ may submit redistricting ordinance.

7 If the city council shall fail at any time to pass a
8 redistricting ordinance as required in this article, one-fifth
9 or more of the alderpersons ~~aldermen~~ elected shall have the
10 right to file with the city clerk, not less than 40 days before
11 the date of holding any general, municipal, or special
12 election, to be held in and for the entire city, an ordinance
13 redistricting the city in accordance with the provisions of
14 this article, together with a petition signed by them demanding
15 that such ordinance be submitted to the legal voters at the
16 next such election in and for the entire city to be held not
17 less than 40 days after the filing of such ordinance and
18 petition: Provided, that no alderperson ~~alderman~~ shall have the
19 right to sign more than one such petition. Upon the expiration
20 of the time for filing any such ordinance the city clerk shall
21 promptly certify to the board of election commissioners of the
22 city of Chicago any ordinance or ordinances, together with any
23 petition or petitions, so filed and thereupon it shall be the
24 duty of the board of election commissioners to submit such
25 ordinance or ordinances to a popular vote at the election

1 specified in such petition or petitions: Provided, that if,
2 after the filing of any such ordinance and petition and not
3 less than 40 days prior to such election, the city council
4 shall pass an ordinance redistricting the city, then the
5 question of the adoption of any ordinance or ordinances filed
6 with the city clerk in accordance with the provisions of this
7 section shall not be submitted to a popular vote. However,
8 after such action by the city council, a substitute ordinance
9 or ordinances may be proposed in the manner provided in this
10 article.

11 (Source: Laws 1941, vol. 2, p. 19.)

12 (65 ILCS 20/21-41) (from Ch. 24, par. 21-41)

13 Sec. 21-41. Redistricting ordinance submitted - Form of
14 ballot.

15 If the question of the adoption of one of two or more
16 redistricting ordinances is submitted to the voters at any
17 election, the ballots used for the submission of such
18 proposition shall, in addition to the other requirements of
19 law, conform substantially to the following requirements:

20 1. Above the propositions submitted the following words
21 shall be printed in capital letters:

22 "PROPOSITIONS FOR THE REDISTRICTING OF THE CITY OF
23 CHICAGO."

24 2. Immediately below said words shall be printed in small
25 letters the direction to voters:

1 "Vote for One."

2 3. Following thereupon shall be printed each proposition to
3 be voted upon in substantially the following form:

4 -----
5 For the adoption of an ordinance for the redistricting
6 of the City of Chicago (here insert "passed by the city
7 council" or "proposed by Alderspersons ~~Aldermen~~ (here
8 insert names of the alderpersons ~~aldermen~~ signing
9 petition)" as the case may require.

10 -----
11 For the adoption of an ordinance for the redistricting
12 of the City of Chicago proposed by Alderspersons ~~Aldermen~~
13 (here insert names of the alderpersons ~~aldermen~~ signing the
14 petition).

15 -----
16 Whenever the question of the adoption of but one
17 redistricting ordinance shall be submitted to the voters, the
18 form of the ballot shall be substantially as follows:

19 -----
20 Shall the ordinance proposed by Alderspersons ~~Aldermen~~
21 (Here insert the names of the alderpersons ~~aldermen~~ signing
22 the petition) be adopted?
23 -----

1 Sec. 270-20. Board members. The mayor and alderpersons
2 ~~aldermen~~, ex officio, of the City of Waukegan shall be the
3 members of the Board. Before entering upon the duties of his
4 office, each member of the Board shall take and subscribe the
5 constitutional oath of office and file it in the office of the
6 Secretary of State.

7 (Source: P.A. 90-328, eff. 1-1-98.)

8 (70 ILCS 200/270-25)

9 Sec. 270-25. Board member terms. Members of the Board shall
10 hold office until their respective successors as mayor or
11 alderpersons ~~aldermen~~ of the City of Waukegan have been
12 appointed and qualified.

13 (Source: P.A. 90-328, eff. 1-1-98.)

14 Section 40. The Metropolitan Pier and Exposition Authority
15 Act is amended by changing Section 5.6 as follows:

16 (70 ILCS 210/5.6)

17 Sec. 5.6. Marketing agreement.

18 (a) The Authority shall enter into a marketing agreement
19 with a not-for-profit organization headquartered in Chicago
20 and recognized by the Department of Commerce and Economic
21 Opportunity as a certified local tourism and convention bureau
22 entitled to receive State tourism grant funds, provided the
23 bylaws of the organization establish a board of the

1 organization that is comprised of 35 members serving 3-year
2 staggered terms, including the following:

3 (1) no less than 8 members appointed by the Mayor of
4 Chicago, to include:

5 (A) a Chair of the board of the organization
6 appointed by the Mayor of the City of Chicago from
7 among the business and civic leaders of Chicago who are
8 not engaged in the hospitality business or who have not
9 served as a member of the Board or as chief executive
10 officer of the Authority; and

11 (B) 7 members from among the cultural, economic
12 development, or civic leaders of Chicago;

13 (2) the chairperson of the interim board or Board of
14 the Authority, or his or her designee;

15 (3) a representative from the department in the City of
16 Chicago that is responsible for the operation of
17 Chicago-area airports;

18 (4) a representative from the department in the City of
19 Chicago that is responsible for the regulation of
20 Chicago-area livery vehicles;

21 (5) at least 1, but no more than:

22 (A) 5 members from the hotel industry;

23 (B) 5 members representing Chicago arts and
24 cultural institutions or projects;

25 (C) 2 members from the restaurant industry;

26 (D) 2 members employed by or representing an entity

1 responsible for a trade show;
2 (E) 2 members representing unions;
3 (F) 2 members from the attractions industry; and
4 (6) the Director of the Illinois Department of Commerce
5 and Economic Opportunity, ex officio.

6 The bylaws of the organization may provide for the
7 appointment of a City of Chicago alderperson ~~alderman~~ as an ex
8 officio member, and may provide for other ex officio members
9 who shall serve terms of one year.

10 Persons with a real or apparent conflict of interest shall
11 not be appointed to the board. Members of the board of the
12 organization shall not serve more than 2 terms. The bylaws
13 shall require the following: (i) that the Chair of the
14 organization name no less than 5 and no more than 9 members to
15 the Executive Committee of the organization, one of whom must
16 be the chairperson of the interim board or Board of the
17 Authority, and (ii) a provision concerning conflict of interest
18 and a requirement that a member abstain from participating in
19 board action if there is a threat to the independence of
20 judgment created by any conflict of interest or if
21 participation is likely to have a negative effect on public
22 confidence in the integrity of the board.

23 (b) The Authority shall notify the Department of Revenue
24 within 10 days after entering into a contract pursuant to this
25 Section.

26 (Source: P.A. 96-898, eff. 5-27-10; 96-899, eff. 5-28-10;

1 97-1122, eff. 8-27-12.)

2 Section 45. The Beardstown Regional Flood Prevention
3 District Act is amended by changing Section 10 as follows:

4 (70 ILCS 755/10)

5 Sec. 10. Commissioners.

6 (a) The affairs of the district shall be managed by a board
7 of 7 commissioners: one shall be appointed by the chairperson
8 of the county board; one shall be appointed by the Mayor of the
9 City of Beardstown; one shall be appointed by the Beardstown
10 Sanitary District; one shall be appointed by the South
11 Beardstown Levee and Drainage District; one shall be appointed
12 by the Valley Levee and Drainage District; one shall be
13 appointed by the Lost Creek Levee and Drainage District; and
14 one shall be appointed by a majority vote of the other 6
15 commissioners. All initial appointments under this Section
16 must be made within 60 days after the district is organized.

17 (b) Of the initial appointments, 3 commissioners shall
18 serve a 2-year term and 4 commissioners shall serve a 4-year
19 term, as determined by lot. Their successors shall be appointed
20 for 4-year terms. No commissioner may serve for more than 20
21 years. Vacancies shall be filled in the same manner as original
22 appointments.

23 (c) Each commissioner must be a legal voter in Cass County,
24 and all commissioners shall reside in and own property that is

1 located within the district. Commissioners shall serve without
2 compensation, but may be reimbursed for reasonable expenses
3 incurred in the performance of their duties.

4 (d) A majority of the commissioners shall constitute a
5 quorum of the board for the transaction of business. An
6 affirmative vote of a majority of the commissioners shall be
7 sufficient to approve any action or expenditure.

8 (e) An alderperson ~~alderman~~ of the City of Beardstown, a
9 member of the county board, and a commissioner of each of the
10 aforementioned drainage districts and sanitation district may
11 be appointed to serve concurrently as commissioners of the
12 district, and the appointment shall be deemed lawful and not to
13 constitute a violation of the Public Officer Prohibited
14 Activities Act, nor to create an impermissible conflict of
15 interest or incompatibility of offices.

16 (Source: P.A. 97-309, eff. 8-11-11.)

17 Section 50. The Park System Civil Service Act is amended by
18 changing Section 23 as follows:

19 (70 ILCS 1210/23) (from Ch. 24 1/2, par. 102)

20 Sec. 23. No officer or employee in the service of any such
21 park district shall, directly or indirectly, give or hand over
22 to any officer or employee in said classified civil service, or
23 to any senator or representative or alderperson ~~alderman~~,
24 councilman or park commissioner, any money or other valuable

1 thing on account of or to be applied to the promotion of any
2 party or political object whatever.

3 (Source: Laws 1911, p. 211.)

4 Section 55. The Park Annuity and Benefit Fund Civil Service
5 Act is amended by changing Section 25 as follows:

6 (70 ILCS 1215/25) (from Ch. 24 1/2, par. 138)

7 Sec. 25. No officer or employee in the service of such Park
8 Employees' and Retirement Board Employees' Annuity and Benefit
9 Fund shall, directly or indirectly, give or hand over to any
10 officer or employee in said classified civil service, or to any
11 senator, representative, alderperson ~~alderman~~, councilman,
12 park commissioner or trustee, any money or other valuable thing
13 on account of or to be applied to the promotion of any party or
14 political object whatever.

15 (Source: Laws 1963, p. 138.)

16 Section 60. The Metropolitan Water Reclamation District
17 Act is amended by changing Section 4.25 as follows:

18 (70 ILCS 2605/4.25) (from Ch. 42, par. 323.25)

19 Sec. 4.25. Political contributions and campaigns.

20 (a) During a commissioner's or an employee's compensated
21 time, other than vacation, personal, holiday, or compensatory
22 time off, a commissioner or an employee in the service of the

1 sanitary district shall not, directly or indirectly, give or
2 hand over to any commissioner or employee, or to any senator,
3 representative, alderperson ~~alderman~~, councilman, or trustee,
4 any money or other valuable thing on account of or to be
5 applied to the promotion of any party or political object
6 whatever.

7 (b) During an employee's compensated time, other than
8 vacation, personal, holiday, or compensatory time off, an
9 employee shall not take any part in the management or affairs
10 of any political party or in any political campaign, except to
11 exercise his or her right as a citizen privately to express his
12 or her opinion, and to cast his or her vote, provided, however,
13 that an employee shall have the right to hold any public
14 office, either by appointment or election, that is not
15 incompatible with his or her duties as an employee of the
16 District, and provided further that the employee does not
17 campaign or otherwise engage in political activity during his
18 or her compensated time other than vacation, personal, holiday,
19 or compensatory time off.

20 (c) This Section shall not be deemed to authorize conduct
21 prohibited by the Federal Hatch Act by employees subject to
22 that Act.

23 (d) For the purposes of this Section, "compensated time"
24 means any time worked by or credited to an employee that counts
25 toward any minimum work time requirement imposed as a condition
26 of employment with the sanitary district, but does not include

1 any designated holidays or any period when the employee is on a
2 leave of absence. With respect to commissioners, "compensated
3 time" means any period of time when the commissioner is on the
4 premises under the control of the sanitary district and any
5 other time when the commissioner is executing his or her
6 official duties, regardless of location.

7 For the purposes of this Section, "compensatory time off"
8 means authorized time off earned by or awarded to an employee
9 to compensate in whole or in part for time worked in excess of
10 the minimum work time required of that employee as a condition
11 of employment with the sanitary district.

12 (Source: P.A. 97-125, eff. 7-14-11.)

13 Section 65. The School Code is amended by changing Sections
14 34-210, 34-230, and 34-235 as follows:

15 (105 ILCS 5/34-210)

16 Sec. 34-210. The Educational Facility Master Plan.

17 (a) In accordance with the schedule set forth in this
18 Article, the chief executive officer or his or her designee
19 shall prepare a 10-year educational facility master plan every
20 5 years, with updates 2 1/2 years after the approval of the
21 initial 10-year plan, with the first such educational facility
22 master plan to be approved on or before October 1, 2013.

23 (b) The educational facility master plan shall provide
24 community area level plans and individual school master plans

1 with options for addressing the facility and space needs for
2 each facility operated by the district over a 10-year period.

3 (c) The data, information, and analysis that shall inform
4 the educational facility master plan shall be published on the
5 district's Internet website and shall include the following:

6 (1) a description of the district's guiding
7 educational goals and standards;

8 (2) a brief description of the types of instructional
9 programs and services delivered in each school, including
10 specific plans for special education programs, early
11 childhood education programs, career and technical
12 education programs, and any other programs that are space
13 sensitive to avoid space irregularities;

14 (3) a description of the process, procedure, and
15 timeline for community participation in the development of
16 the plan;

17 (3.5) A description of a communications and community
18 involvement plan for each community in the City of Chicago
19 that includes the engagement of students, school
20 personnel, parents, and key stakeholders throughout the
21 community and all of the following:

22 (A) community action councils;

23 (B) local school councils or, if not present,
24 alternative parent and community governance for that
25 school;

26 (C) the Chicago Teachers Union; and

1 (D) all current principals.

2 (4) the enrollment capacity of each school and its rate
3 of enrollment and historical and projected enrollment, and
4 current and projected demographic information for the
5 neighborhood surrounding the district based on census
6 data;

7 (5) a report on the assessment of individual building
8 and site conditions;

9 (6) a data table with historical and projected
10 enrollment data by school by grade;

11 (7) community analysis, including a study of current
12 and projected demographics, land usage, transportation
13 plans, residential housing and commercial development,
14 private schools, plans for water and sewage service
15 expansion or redevelopment, and institutions of higher
16 education;

17 (8) an analysis of the facility needs and requirements
18 and a process to address critical facility capital needs of
19 every school building, which shall be publicly available on
20 the district's Internet website for schools and
21 communities to have access to the information;

22 (9) identification of potential sources of funding for
23 the implementation of the Educational Facility Master
24 Plan, including financial options through tax increment
25 financing, property tax levies for schools, and bonds that
26 address critical facility needs; and

1 (10) any school building disposition, including a plan
2 delineating the process through which citizen involvement
3 is facilitated and establishing the criteria that is
4 utilized in building disposition decisions, one of which
5 shall be consideration of the impact of any proposed new
6 use of a school building on the neighborhood in which the
7 school building is located and how it may impact enrollment
8 of schools in that community area.

9 (d) On or before May 1, 2013, the chief executive officer
10 or his or her designee shall prepare and distribute for comment
11 a preliminary draft of the Educational Facility Master Plan.
12 The draft plan shall be distributed to the City of Chicago, the
13 County of Cook, the Chicago Park District, the Chicago Housing
14 Authority, the Chicago Transit Authority, attendance centers
15 operated by the district, and charter schools operating within
16 the district. Each attendance center shall make the draft plan
17 available to the local school council at the annual
18 organizational meeting or to an alternative advisory body and
19 to the parents, guardians, and staff of the school. The draft
20 plan also shall be distributed to each State Senator and State
21 Representative with a district in the City of Chicago, to the
22 Mayor of the City of Chicago, and to each alderperson ~~alderman~~
23 of the City.

24 (e) The chief executive or his or her designee shall
25 publish a procedure for conducting regional public hearings and
26 submitting public comments on the draft plan and an annual

1 capital improvement hearing that shall discuss the district's
2 annual capital budget and that is not in conjunction with
3 operating budget hearings.

4 (f) After consideration of public input on the draft plan,
5 the chief executive officer or his or her designee shall
6 prepare and publish a report describing the public input
7 gathered and the process used to incorporate public input in
8 the development of the final plan to be recommended to the
9 Board.

10 (g) The chief executive officer shall present the final
11 plan and report to the Board for final consideration and
12 approval.

13 (h) The final approved Educational Facility Master Plan
14 shall be published on the district's website.

15 (i) No later than July 1, 2016, and every 5 years
16 thereafter, the chief executive officer or his or her designee
17 shall prepare and submit for public comment a draft revised
18 Educational Facility Master Plan following the procedures
19 required for development of the original plan.

20 (j) This proposed revised plan shall reflect the progress
21 achieved during the first 2 1/2 years of the Educational
22 Facility Master Plan.

23 (k) On or before December 1, 2018, the Board shall adopt a
24 policy to address under-enrolled schools. The policy must
25 contain a list of potential interventions to address schools
26 with declining enrollment, including, but not limited to,

1 action by the district to: (i) create a request for proposals
2 for joint use of the school with an intergovernmental rental or
3 other outside entity rental, (ii) except for a charter school,
4 cease any potential plans for school expansion that may
5 negatively impact enrollment at the under-enrolled school,
6 (iii) redraft attendance boundaries to maximize enrollment of
7 additional students, or (iv) work with under-enrolled schools
8 to identify opportunities to increase enrollment and lower the
9 costs of occupancy through joint use agreements.

10 (Source: P.A. 99-531, eff. 7-8-16; 100-965, eff. 8-19-18.)

11 (105 ILCS 5/34-230)

12 Sec. 34-230. School action public meetings and hearings.

13 (a) By October 1 of each year, the chief executive officer
14 shall prepare and publish guidelines for school actions. The
15 guidelines shall outline the academic and non-academic
16 criteria for a school action. These guidelines shall be created
17 with the involvement of local school councils, parents,
18 educators, and community organizations. These guidelines, and
19 each subsequent revision, shall be subject to a public comment
20 period of at least 21 days before their approval.

21 (b) The chief executive officer shall announce all proposed
22 school actions to be taken at the close of the current academic
23 year consistent with the guidelines by December 1 of each year.

24 (c) On or before December 1 of each year, the chief
25 executive officer shall publish notice of the proposed school

1 actions.

2 (1) Notice of the proposal for a school action shall
3 include a written statement of the basis for the school
4 action, an explanation of how the school action meets the
5 criteria set forth in the guidelines, and a draft School
6 Transition Plan identifying the items required in Section
7 34-225 of this Code for all schools affected by the school
8 action. The notice shall state the date, time, and place of
9 the hearing or meeting. For a school closure only, 8 months
10 after notice is given, the chief executive officer must
11 publish on the district's website a full financial report
12 on the closure that includes an analysis of the closure's
13 costs and benefits to the district.

14 (2) The chief executive officer or his or her designee
15 shall provide notice to the principal, staff, local school
16 council, and parents or guardians of any school that is
17 subject to the proposed school action.

18 (3) The chief executive officer shall provide written
19 notice of any proposed school action to the State Senator,
20 State Representative, and alderperson ~~alderman~~ for the
21 school or schools that are subject to the proposed school
22 action.

23 (4) The chief executive officer shall publish notice of
24 proposed school actions on the district's Internet
25 website.

26 (5) The chief executive officer shall provide notice of

1 proposed school actions at least 30 calendar days in
2 advance of a public hearing or meeting. The notice shall
3 state the date, time, and place of the hearing or meeting.
4 No Board decision regarding a proposed school action may
5 take place less than 60 days after the announcement of the
6 proposed school action.

7 (d) The chief executive officer shall publish a brief
8 summary of the proposed school actions and the date, time, and
9 place of the hearings or meetings in a newspaper of general
10 circulation.

11 (e) The chief executive officer shall designate at least 3
12 opportunities to elicit public comment at a hearing or meeting
13 on a proposed school action and shall do the following:

14 (1) Convene at least one public hearing at the
15 centrally located office of the Board.

16 (2) Convene at least 2 additional public hearings or
17 meetings at a location convenient to the school community
18 subject to the proposed school action.

19 (f) Public hearings shall be conducted by a qualified
20 independent hearing officer chosen from a list of independent
21 hearing officers. The general counsel shall compile and publish
22 a list of independent hearing officers by November 1 of each
23 school year. The independent hearing officer shall have the
24 following qualifications:

25 (1) he or she must be a licensed attorney eligible to
26 practice law in Illinois;

1 (2) he or she must not be an employee of the Board; and

2 (3) he or she must not have represented the Board, its
3 employees or any labor organization representing its
4 employees, any local school council, or any charter or
5 contract school in any capacity within the last year.

6 The independent hearing officer shall issue a written
7 report that summarizes the hearing and determines whether the
8 chief executive officer complied with the requirements of this
9 Section and the guidelines.

10 The chief executive officer shall publish the report on the
11 district's Internet website within 5 calendar days after
12 receiving the report and at least 15 days prior to any Board
13 action being taken.

14 (g) Public meetings shall be conducted by a representative
15 of the chief executive officer. A summary of the public meeting
16 shall be published on the district's Internet website within 5
17 calendar days after the meeting.

18 (h) If the chief executive officer proposes a school action
19 without following the mandates set forth in this Section, the
20 proposed school action shall not be approved by the Board
21 during the school year in which the school action was proposed.

22 (Source: P.A. 101-133, eff. 7-26-19.)

23 (105 ILCS 5/34-235)

24 (Text of Section from P.A. 97-473)

25 Sec. 34-235. Emergencies. Nothing in Sections 34-200

1 through 34-235 of this Code prevents the district from taking
2 emergency action to protect the health and safety of students
3 and staff in an attendance center. In the event of an emergency
4 that requires the district to close all or part of a school
5 facility, including compliance with a directive of a duly
6 authorized public safety agency, the chief executive officer or
7 his or her designees are authorized to take all steps necessary
8 to protect the safety of students and staff, including
9 relocation of the attendance center to another location or
10 closing the attendance center. In such cases, the chief
11 executive officer shall provide written notice of the basis for
12 the emergency action within 3 days after declaring the
13 emergency and shall publish the steps that have been taken or
14 will be taken to address the emergency within 10 days after
15 declaring the emergency. The notice shall be posted on the
16 district's website and provided to the principal, the local
17 school council, and the State Senator, the State
18 Representative, and the alderperson ~~Alderman~~ of the school that
19 is the subject of the emergency action. The notice shall
20 explain why the district could not comply with the provisions
21 in Sections 34-200 through 34-235 of this Code.

22 (Source: P.A. 97-473, eff. 1-1-12.)

23 (Text of Section from P.A. 97-474)

24 Sec. 34-235. Emergencies. Nothing in Sections 34-200
25 through 34-235 of this Code prevents the district from taking

1 emergency action to protect the health and safety of students
2 and staff in an attendance center. In the event of an emergency
3 that requires the district to close all or part of a school
4 facility, including compliance with a directive of a duly
5 authorized public safety agency, the chief executive officer or
6 his or her designees are authorized to take all steps necessary
7 to protect the safety of students and staff, including
8 relocation of the attendance center to another location or
9 closing the attendance center. In such cases, the chief
10 executive officer shall provide written notice of the basis for
11 the emergency action within 3 days after declaring the
12 emergency and shall publish the steps that have been taken or
13 will be taken to address the emergency within 10 days after
14 declaring the emergency. The notice shall be posted on the
15 district's website and provided to the principal, the local
16 school council, and the State Senator, the State
17 Representative, and the alderperson ~~alderman~~ of the school that
18 is the subject of the emergency action. The notice shall
19 explain why the district could not comply with the provisions
20 in Sections 34-200 through 34-235 of this Code.

21 (Source: P.A. 97-474, eff. 8-22-11.)

22 Section 70. The Liquor Control Act of 1934 is amended by
23 changing Sections 4-1, 6-2, and 6-11 as follows:

24 (235 ILCS 5/4-1) (from Ch. 43, par. 110)

1 Sec. 4-1. In every city, village or incorporated town, the
2 city council or president and board of trustees, and in
3 counties in respect of territory outside the limits of any such
4 city, village or incorporated town the county board shall have
5 the power by general ordinance or resolution to determine the
6 number, kind and classification of licenses, for sale at retail
7 of alcoholic liquor not inconsistent with this Act and the
8 amount of the local licensee fees to be paid for the various
9 kinds of licenses to be issued in their political subdivision,
10 except those issued to the specific non-beverage users exempt
11 from payment of license fees under Section 5-3 which shall be
12 issued without payment of any local license fees, and the
13 manner of distribution of such fees after their collection; to
14 regulate or prohibit the presence of persons under the age of
15 21 on the premises of licensed retail establishments of various
16 kinds and classifications where alcoholic liquor is drawn,
17 poured, mixed or otherwise served for consumption on the
18 premises; to prohibit any minor from drawing, pouring, or
19 mixing any alcoholic liquor as an employee of any retail
20 licensee; and to prohibit any minor from at any time attending
21 any bar and from drawing, pouring or mixing any alcoholic
22 liquor in any licensed retail premises; and to establish such
23 further regulations and restrictions upon the issuance of and
24 operations under local licenses not inconsistent with law as
25 the public good and convenience may require; and to provide
26 penalties for the violation of regulations and restrictions,

1 including those made by county boards, relative to operation
2 under local licenses; provided, however, that in the exercise
3 of any of the powers granted in this section, the issuance of
4 such licenses shall not be prohibited except for reasons
5 specifically enumerated in Sections 6-2, 6-11, 6-12 and 6-25 of
6 this Act.

7 However, in any municipality with a population exceeding
8 1,000,000 that has adopted the form of government authorized
9 under "An Act concerning cities, villages, and incorporated
10 towns, and to repeal certain Acts herein named", approved
11 August 15, 1941, as amended, no person shall be granted any
12 license or privilege to sell alcoholic liquors between the
13 hours of two o'clock a.m. and seven o'clock a.m. on week days
14 unless such person has given at least 14 days prior written
15 notice to the alderperson ~~alderman~~ of the ward in which such
16 person's licensed premises are located stating his intention to
17 make application for such license or privilege and unless
18 evidence confirming service of such written notice is included
19 in such application. Any license or privilege granted in
20 violation of this paragraph shall be null and void.

21 (Source: P.A. 99-46, eff. 7-15-15.)

22 (235 ILCS 5/6-2) (from Ch. 43, par. 120)

23 Sec. 6-2. Issuance of licenses to certain persons
24 prohibited.

25 (a) Except as otherwise provided in subsection (b) of this

1 Section and in paragraph (1) of subsection (a) of Section 3-12,
2 no license of any kind issued by the State Commission or any
3 local commission shall be issued to:

4 (1) A person who is not a resident of any city, village
5 or county in which the premises covered by the license are
6 located; except in case of railroad or boat licenses.

7 (2) A person who is not of good character and
8 reputation in the community in which he resides.

9 (3) (Blank).

10 (4) A person who has been convicted of a felony under
11 any Federal or State law, unless the Commission determines
12 that such person will not be impaired by the conviction in
13 engaging in the licensed practice after considering
14 matters set forth in such person's application in
15 accordance with Section 6-2.5 of this Act and the
16 Commission's investigation.

17 (5) A person who has been convicted of keeping a place
18 of prostitution or keeping a place of juvenile
19 prostitution, promoting prostitution that involves keeping
20 a place of prostitution, or promoting juvenile
21 prostitution that involves keeping a place of juvenile
22 prostitution.

23 (6) A person who has been convicted of pandering.

24 (7) A person whose license issued under this Act has
25 been revoked for cause.

26 (8) A person who at the time of application for renewal

1 of any license issued hereunder would not be eligible for
2 such license upon a first application.

3 (9) A copartnership, if any general partnership
4 thereof, or any limited partnership thereof, owning more
5 than 5% of the aggregate limited partner interest in such
6 copartnership would not be eligible to receive a license
7 hereunder for any reason other than residence within the
8 political subdivision, unless residency is required by
9 local ordinance.

10 (10) A corporation or limited liability company, if any
11 member, officer, manager or director thereof, or any
12 stockholder or stockholders owning in the aggregate more
13 than 5% of the stock of such corporation, would not be
14 eligible to receive a license hereunder for any reason
15 other than residence within the political subdivision.

16 (10a) A corporation or limited liability company
17 unless it is incorporated or organized in Illinois, or
18 unless it is a foreign corporation or foreign limited
19 liability company which is qualified under the Business
20 Corporation Act of 1983 or the Limited Liability Company
21 Act to transact business in Illinois. The Commission shall
22 permit and accept from an applicant for a license under
23 this Act proof prepared from the Secretary of State's
24 website that the corporation or limited liability company
25 is in good standing and is qualified under the Business
26 Corporation Act of 1983 or the Limited Liability Company

1 Act to transact business in Illinois.

2 (11) A person whose place of business is conducted by a
3 manager or agent unless the manager or agent possesses the
4 same qualifications required by the licensee.

5 (12) A person who has been convicted of a violation of
6 any Federal or State law concerning the manufacture,
7 possession or sale of alcoholic liquor, subsequent to the
8 passage of this Act or has forfeited his bond to appear in
9 court to answer charges for any such violation, unless the
10 Commission determines, in accordance with Section 6-2.5 of
11 this Act, that the person will not be impaired by the
12 conviction in engaging in the licensed practice.

13 (13) A person who does not beneficially own the
14 premises for which a license is sought, or does not have a
15 lease thereon for the full period for which the license is
16 to be issued.

17 (14) Any law enforcing public official, including
18 members of local liquor control commissions, any mayor,
19 alderperson ~~alderman~~, or member of the city council or
20 commission, any president of the village board of trustees,
21 any member of a village board of trustees, or any president
22 or member of a county board; and no such official shall
23 have a direct interest in the manufacture, sale, or
24 distribution of alcoholic liquor, except that a license may
25 be granted to such official in relation to premises that
26 are not located within the territory subject to the

1 jurisdiction of that official if the issuance of such
2 license is approved by the State Liquor Control Commission
3 and except that a license may be granted, in a city or
4 village with a population of 55,000 or less, to any
5 alderperson ~~alderman~~, member of a city council, or member
6 of a village board of trustees in relation to premises that
7 are located within the territory subject to the
8 jurisdiction of that official if (i) the sale of alcoholic
9 liquor pursuant to the license is incidental to the selling
10 of food, (ii) the issuance of the license is approved by
11 the State Commission, (iii) the issuance of the license is
12 in accordance with all applicable local ordinances in
13 effect where the premises are located, and (iv) the
14 official granted a license does not vote on alcoholic
15 liquor issues pending before the board or council to which
16 the license holder is elected. Notwithstanding any
17 provision of this paragraph (14) to the contrary, an
18 alderperson ~~alderman~~ or member of a city council or
19 commission, a member of a village board of trustees other
20 than the president of the village board of trustees, or a
21 member of a county board other than the president of a
22 county board may have a direct interest in the manufacture,
23 sale, or distribution of alcoholic liquor as long as he or
24 she is not a law enforcing public official, a mayor, a
25 village board president, or president of a county board. To
26 prevent any conflict of interest, the elected official with

1 the direct interest in the manufacture, sale, or
2 distribution of alcoholic liquor shall not participate in
3 any meetings, hearings, or decisions on matters impacting
4 the manufacture, sale, or distribution of alcoholic
5 liquor. Furthermore, the mayor of a city with a population
6 of 55,000 or less or the president of a village with a
7 population of 55,000 or less may have an interest in the
8 manufacture, sale, or distribution of alcoholic liquor as
9 long as the council or board over which he or she presides
10 has made a local liquor control commissioner appointment
11 that complies with the requirements of Section 4-2 of this
12 Act.

13 (15) A person who is not a beneficial owner of the
14 business to be operated by the licensee.

15 (16) A person who has been convicted of a gambling
16 offense as proscribed by any of subsections (a) (3) through
17 (a) (11) of Section 28-1 of, or as proscribed by Section
18 28-1.1 or 28-3 of, the Criminal Code of 1961 or the
19 Criminal Code of 2012, or as proscribed by a statute
20 replaced by any of the aforesaid statutory provisions.

21 (17) A person or entity to whom a federal wagering
22 stamp has been issued by the federal government, unless the
23 person or entity is eligible to be issued a license under
24 the Raffles and Poker Runs Act or the Illinois Pull Tabs
25 and Jar Games Act.

26 (18) A person who intends to sell alcoholic liquors for

1 use or consumption on his or her licensed retail premises
2 who does not have liquor liability insurance coverage for
3 that premises in an amount that is at least equal to the
4 maximum liability amounts set out in subsection (a) of
5 Section 6-21.

6 (19) A person who is licensed by any licensing
7 authority as a manufacturer of beer, or any partnership,
8 corporation, limited liability company, or trust or any
9 subsidiary, affiliate, or agent thereof, or any other form
10 of business enterprise licensed as a manufacturer of beer,
11 having any legal, equitable, or beneficial interest,
12 directly or indirectly, in a person licensed in this State
13 as a distributor or importing distributor. For purposes of
14 this paragraph (19), a person who is licensed by any
15 licensing authority as a "manufacturer of beer" shall also
16 mean a brewer and a non-resident dealer who is also a
17 manufacturer of beer, including a partnership,
18 corporation, limited liability company, or trust or any
19 subsidiary, affiliate, or agent thereof, or any other form
20 of business enterprise licensed as a manufacturer of beer.

21 (20) A person who is licensed in this State as a
22 distributor or importing distributor, or any partnership,
23 corporation, limited liability company, or trust or any
24 subsidiary, affiliate, or agent thereof, or any other form
25 of business enterprise licensed in this State as a
26 distributor or importing distributor having any legal,

1 equitable, or beneficial interest, directly or indirectly,
2 in a person licensed as a manufacturer of beer by any
3 licensing authority, or any partnership, corporation,
4 limited liability company, or trust or any subsidiary,
5 affiliate, or agent thereof, or any other form of business
6 enterprise, except for a person who owns, on or after the
7 effective date of this amendatory Act of the 98th General
8 Assembly, no more than 5% of the outstanding shares of a
9 manufacturer of beer whose shares are publicly traded on an
10 exchange within the meaning of the Securities Exchange Act
11 of 1934. For the purposes of this paragraph (20), a person
12 who is licensed by any licensing authority as a
13 "manufacturer of beer" shall also mean a brewer and a
14 non-resident dealer who is also a manufacturer of beer,
15 including a partnership, corporation, limited liability
16 company, or trust or any subsidiary, affiliate, or agent
17 thereof, or any other form of business enterprise licensed
18 as a manufacturer of beer.

19 (b) A criminal conviction of a corporation is not grounds
20 for the denial, suspension, or revocation of a license applied
21 for or held by the corporation if the criminal conviction was
22 not the result of a violation of any federal or State law
23 concerning the manufacture, possession or sale of alcoholic
24 liquor, the offense that led to the conviction did not result
25 in any financial gain to the corporation and the corporation
26 has terminated its relationship with each director, officer,

1 employee, or controlling shareholder whose actions directly
2 contributed to the conviction of the corporation. The
3 Commission shall determine if all provisions of this subsection
4 (b) have been met before any action on the corporation's
5 license is initiated.

6 (Source: P.A. 100-286, eff. 1-1-18; 101-541, eff. 8-23-19.)

7 (235 ILCS 5/6-11)

8 Sec. 6-11. Sale near churches, schools, and hospitals.

9 (a) No license shall be issued for the sale at retail of
10 any alcoholic liquor within 100 feet of any church, school
11 other than an institution of higher learning, hospital, home
12 for aged or indigent persons or for veterans, their spouses or
13 children or any military or naval station, provided, that this
14 prohibition shall not apply to hotels offering restaurant
15 service, regularly organized clubs, or to restaurants, food
16 shops or other places where sale of alcoholic liquors is not
17 the principal business carried on if the place of business so
18 exempted is not located in a municipality of more than 500,000
19 persons, unless required by local ordinance; nor to the renewal
20 of a license for the sale at retail of alcoholic liquor on
21 premises within 100 feet of any church or school where the
22 church or school has been established within such 100 feet
23 since the issuance of the original license. In the case of a
24 church, the distance of 100 feet shall be measured to the
25 nearest part of any building used for worship services or

1 educational programs and not to property boundaries.

2 (a-5) Notwithstanding any provision of this Section to the
3 contrary, a local liquor control commissioner may grant an
4 exemption to the prohibition in subsection (a) of this Section
5 if a local rule or ordinance authorizes the local liquor
6 control commissioner to grant that exemption.

7 (b) Nothing in this Section shall prohibit the issuance of
8 a retail license authorizing the sale of alcoholic liquor to a
9 restaurant, the primary business of which is the sale of goods
10 baked on the premises if (i) the restaurant is newly
11 constructed and located on a lot of not less than 10,000 square
12 feet, (ii) the restaurant costs at least \$1,000,000 to
13 construct, (iii) the licensee is the titleholder to the
14 premises and resides on the premises, and (iv) the construction
15 of the restaurant is completed within 18 months of July 10,
16 1998 (the effective date of Public Act 90-617).

17 (c) Nothing in this Section shall prohibit the issuance of
18 a retail license authorizing the sale of alcoholic liquor
19 incidental to a restaurant if (1) the primary business of the
20 restaurant consists of the sale of food where the sale of
21 liquor is incidental to the sale of food and the applicant is a
22 completely new owner of the restaurant, (2) the immediately
23 prior owner or operator of the premises where the restaurant is
24 located operated the premises as a restaurant and held a valid
25 retail license authorizing the sale of alcoholic liquor at the
26 restaurant for at least part of the 24 months before the change

1 of ownership, and (3) the restaurant is located 75 or more feet
2 from a school.

3 (d) In the interest of further developing Illinois' economy
4 in the area of commerce, tourism, convention, and banquet
5 business, nothing in this Section shall prohibit issuance of a
6 retail license authorizing the sale of alcoholic beverages to a
7 restaurant, banquet facility, grocery store, or hotel having
8 not fewer than 150 guest room accommodations located in a
9 municipality of more than 500,000 persons, notwithstanding the
10 proximity of such hotel, restaurant, banquet facility, or
11 grocery store to any church or school, if the licensed premises
12 described on the license are located within an enclosed mall or
13 building of a height of at least 6 stories, or 60 feet in the
14 case of a building that has been registered as a national
15 landmark, or in a grocery store having a minimum of 56,010
16 square feet of floor space in a single story building in an
17 open mall of at least 3.96 acres that is adjacent to a public
18 school that opened as a boys technical high school in 1934, or
19 in a grocery store having a minimum of 31,000 square feet of
20 floor space in a single story building located a distance of
21 more than 90 feet but less than 100 feet from a high school
22 that opened in 1928 as a junior high school and became a senior
23 high school in 1933, and in each of these cases if the sale of
24 alcoholic liquors is not the principal business carried on by
25 the licensee.

26 For purposes of this Section, a "banquet facility" is any

1 part of a building that caters to private parties and where the
2 sale of alcoholic liquors is not the principal business.

3 (e) Nothing in this Section shall prohibit the issuance of
4 a license to a church or private school to sell at retail
5 alcoholic liquor if any such sales are limited to periods when
6 groups are assembled on the premises solely for the promotion
7 of some common object other than the sale or consumption of
8 alcoholic liquors.

9 (f) Nothing in this Section shall prohibit a church or
10 church affiliated school located in a home rule municipality or
11 in a municipality with 75,000 or more inhabitants from locating
12 within 100 feet of a property for which there is a preexisting
13 license to sell alcoholic liquor at retail. In these instances,
14 the local zoning authority may, by ordinance adopted
15 simultaneously with the granting of an initial special use
16 zoning permit for the church or church affiliated school,
17 provide that the 100-foot restriction in this Section shall not
18 apply to that church or church affiliated school and future
19 retail liquor licenses.

20 (g) Nothing in this Section shall prohibit the issuance of
21 a retail license authorizing the sale of alcoholic liquor at
22 premises within 100 feet, but not less than 90 feet, of a
23 public school if (1) the premises have been continuously
24 licensed to sell alcoholic liquor for a period of at least 50
25 years, (2) the premises are located in a municipality having a
26 population of over 500,000 inhabitants, (3) the licensee is an

1 individual who is a member of a family that has held the
2 previous 3 licenses for that location for more than 25 years,
3 (4) the principal of the school and the alderperson ~~alderman~~ of
4 the ward in which the school is located have delivered a
5 written statement to the local liquor control commissioner
6 stating that they do not object to the issuance of a license
7 under this subsection (g), and (5) the local liquor control
8 commissioner has received the written consent of a majority of
9 the registered voters who live within 200 feet of the premises.

10 (h) Notwithstanding any provision of this Section to the
11 contrary, nothing in this Section shall prohibit the issuance
12 or renewal of a license authorizing the sale of alcoholic
13 liquor within premises and at an outdoor patio area attached to
14 premises that are located in a municipality with a population
15 in excess of 300,000 inhabitants and that are within 100 feet
16 of a church if:

17 (1) the sale of alcoholic liquor at the premises is
18 incidental to the sale of food,

19 (2) the sale of liquor is not the principal business
20 carried on by the licensee at the premises,

21 (3) the premises are less than 1,000 square feet,

22 (4) the premises are owned by the University of
23 Illinois,

24 (5) the premises are immediately adjacent to property
25 owned by a church and are not less than 20 nor more than 40
26 feet from the church space used for worship services, and

1 (6) the principal religious leader at the place of
2 worship has indicated his or her support for the issuance
3 of the license in writing.

4 (i) Notwithstanding any provision in this Section to the
5 contrary, nothing in this Section shall prohibit the issuance
6 or renewal of a license to sell alcoholic liquor at a premises
7 that is located within a municipality with a population in
8 excess of 300,000 inhabitants and is within 100 feet of a
9 church, synagogue, or other place of worship if:

10 (1) the primary entrance of the premises and the
11 primary entrance of the church, synagogue, or other place
12 of worship are at least 100 feet apart, on parallel
13 streets, and separated by an alley; and

14 (2) the principal religious leader at the place of
15 worship has not indicated his or her opposition to the
16 issuance or renewal of the license in writing.

17 (j) Notwithstanding any provision in this Section to the
18 contrary, nothing in this Section shall prohibit the issuance
19 of a retail license authorizing the sale of alcoholic liquor at
20 a theater that is within 100 feet of a church if (1) the church
21 owns the theater, (2) the church leases the theater to one or
22 more entities, and (3) the theater is used by at least 5
23 different not-for-profit theater groups.

24 (k) Notwithstanding any provision in this Section to the
25 contrary, nothing in this Section shall prohibit the issuance
26 or renewal of a license authorizing the sale of alcoholic

1 liquor at a premises that is located within a municipality with
2 a population in excess of 1,000,000 inhabitants and is within
3 100 feet of a school if:

4 (1) the primary entrance of the premises and the
5 primary entrance of the school are parallel, on different
6 streets, and separated by an alley;

7 (2) the southeast corner of the premises are at least
8 350 feet from the southwest corner of the school;

9 (3) the school was built in 1978;

10 (4) the sale of alcoholic liquor at the premises is
11 incidental to the sale of food;

12 (5) the sale of alcoholic liquor is not the principal
13 business carried on by the licensee at the premises;

14 (6) the applicant is the owner of the restaurant and
15 has held a valid license authorizing the sale of alcoholic
16 liquor for the business to be conducted on the premises at
17 a different location for more than 7 years; and

18 (7) the premises is at least 2,300 square feet and sits
19 on a lot that is between 6,100 and 6,150 square feet.

20 (1) Notwithstanding any provision in this Section to the
21 contrary, nothing in this Section shall prohibit the issuance
22 or renewal of a license authorizing the sale of alcoholic
23 liquor at a premises that is located within a municipality with
24 a population in excess of 1,000,000 inhabitants and is within
25 100 feet of a church or school if:

26 (1) the primary entrance of the premises and the

1 closest entrance of the church or school is at least 90
2 feet apart and no greater than 95 feet apart;

3 (2) the shortest distance between the premises and the
4 church or school is at least 80 feet apart and no greater
5 than 85 feet apart;

6 (3) the applicant is the owner of the restaurant and on
7 November 15, 2006 held a valid license authorizing the sale
8 of alcoholic liquor for the business to be conducted on the
9 premises for at least 14 different locations;

10 (4) the sale of alcoholic liquor at the premises is
11 incidental to the sale of food;

12 (5) the sale of alcoholic liquor is not the principal
13 business carried on by the licensee at the premises;

14 (6) the premises is at least 3,200 square feet and sits
15 on a lot that is between 7,150 and 7,200 square feet; and

16 (7) the principal religious leader at the place of
17 worship has not indicated his or her opposition to the
18 issuance or renewal of the license in writing.

19 (m) Notwithstanding any provision in this Section to the
20 contrary, nothing in this Section shall prohibit the issuance
21 or renewal of a license authorizing the sale of alcoholic
22 liquor at a premises that is located within a municipality with
23 a population in excess of 1,000,000 inhabitants and is within
24 100 feet of a church if:

25 (1) the premises and the church are perpendicular, and
26 the primary entrance of the premises faces South while the

1 primary entrance of the church faces West and the distance
2 between the two entrances is more than 100 feet;

3 (2) the shortest distance between the premises lot line
4 and the exterior wall of the church is at least 80 feet;

5 (3) the church was established at the current location
6 in 1916 and the present structure was erected in 1925;

7 (4) the premises is a single story, single use building
8 with at least 1,750 square feet and no more than 2,000
9 square feet;

10 (5) the sale of alcoholic liquor at the premises is
11 incidental to the sale of food;

12 (6) the sale of alcoholic liquor is not the principal
13 business carried on by the licensee at the premises; and

14 (7) the principal religious leader at the place of
15 worship has not indicated his or her opposition to the
16 issuance or renewal of the license in writing.

17 (n) Notwithstanding any provision in this Section to the
18 contrary, nothing in this Section shall prohibit the issuance
19 or renewal of a license authorizing the sale of alcoholic
20 liquor at a premises that is located within a municipality with
21 a population in excess of 1,000,000 inhabitants and is within
22 100 feet of a school if:

23 (1) the school is a City of Chicago School District 299
24 school;

25 (2) the school is located within subarea E of City of
26 Chicago Residential Business Planned Development Number

1 70;

2 (3) the sale of alcoholic liquor is not the principal
3 business carried on by the licensee on the premises;

4 (4) the sale of alcoholic liquor at the premises is
5 incidental to the sale of food; and

6 (5) the administration of City of Chicago School
7 District 299 has expressed, in writing, its support for the
8 issuance of the license.

9 (o) Notwithstanding any provision of this Section to the
10 contrary, nothing in this Section shall prohibit the issuance
11 or renewal of a retail license authorizing the sale of
12 alcoholic liquor at a premises that is located within a
13 municipality in excess of 1,000,000 inhabitants and within 100
14 feet of a church if:

15 (1) the sale of alcoholic liquor at the premises is
16 incidental to the sale of food;

17 (2) the sale of alcoholic liquor is not the principal
18 business carried on by the licensee at the premises;

19 (3) the premises is located on a street that runs
20 perpendicular to the street on which the church is located;

21 (4) the primary entrance of the premises is at least
22 100 feet from the primary entrance of the church;

23 (5) the shortest distance between any part of the
24 premises and any part of the church is at least 60 feet;

25 (6) the premises is between 3,600 and 4,000 square feet
26 and sits on a lot that is between 3,600 and 4,000 square

1 feet; and

2 (7) the premises was built in the year 1909.

3 For purposes of this subsection (o), "premises" means a
4 place of business together with a privately owned outdoor
5 location that is adjacent to the place of business.

6 (p) Notwithstanding any provision in this Section to the
7 contrary, nothing in this Section shall prohibit the issuance
8 or renewal of a license authorizing the sale of alcoholic
9 liquor at a premises that is located within a municipality with
10 a population in excess of 1,000,000 inhabitants and within 100
11 feet of a church if:

12 (1) the shortest distance between the backdoor of the
13 premises, which is used as an emergency exit, and the
14 church is at least 80 feet;

15 (2) the church was established at the current location
16 in 1889; and

17 (3) liquor has been sold on the premises since at least
18 1985.

19 (q) Notwithstanding any provision of this Section to the
20 contrary, nothing in this Section shall prohibit the issuance
21 or renewal of a license authorizing the sale of alcoholic
22 liquor within a premises that is located in a municipality with
23 a population in excess of 1,000,000 inhabitants and within 100
24 feet of a church-owned property if:

25 (1) the premises is located within a larger building
26 operated as a grocery store;

1 (2) the area of the premises does not exceed 720 square
2 feet and the area of the larger building exceeds 18,000
3 square feet;

4 (3) the larger building containing the premises is
5 within 100 feet of the nearest property line of a
6 church-owned property on which a church-affiliated school
7 is located;

8 (4) the sale of liquor is not the principal business
9 carried on within the larger building;

10 (5) the primary entrance of the larger building and the
11 premises and the primary entrance of the church-affiliated
12 school are on different, parallel streets, and the distance
13 between the 2 primary entrances is more than 100 feet;

14 (6) the larger building is separated from the
15 church-owned property and church-affiliated school by an
16 alley;

17 (7) the larger building containing the premises and the
18 church building front are on perpendicular streets and are
19 separated by a street; and

20 (8) (Blank).

21 (r) Notwithstanding any provision of this Section to the
22 contrary, nothing in this Section shall prohibit the issuance,
23 renewal, or maintenance of a license authorizing the sale of
24 alcoholic liquor incidental to the sale of food within a
25 restaurant established in a premises that is located in a
26 municipality with a population in excess of 1,000,000

1 inhabitants and within 100 feet of a church if:

2 (1) the primary entrance of the church and the primary
3 entrance of the restaurant are at least 100 feet apart;

4 (2) the restaurant has operated on the ground floor and
5 lower level of a multi-story, multi-use building for more
6 than 40 years;

7 (3) the primary business of the restaurant consists of
8 the sale of food where the sale of liquor is incidental to
9 the sale of food;

10 (4) the sale of alcoholic liquor is conducted primarily
11 in the below-grade level of the restaurant to which the
12 only public access is by a staircase located inside the
13 restaurant; and

14 (5) the restaurant has held a license authorizing the
15 sale of alcoholic liquor on the premises for more than 40
16 years.

17 (s) Notwithstanding any provision of this Section to the
18 contrary, nothing in this Section shall prohibit renewal of a
19 license authorizing the sale of alcoholic liquor at a premises
20 that is located within a municipality with a population more
21 than 5,000 and less than 10,000 and is within 100 feet of a
22 church if:

23 (1) the church was established at the location within
24 100 feet of the premises after a license for the sale of
25 alcoholic liquor at the premises was first issued;

26 (2) a license for sale of alcoholic liquor at the

1 premises was first issued before January 1, 2007; and

2 (3) a license for the sale of alcoholic liquor on the
3 premises has been continuously in effect since January 1,
4 2007, except for interruptions between licenses of no more
5 than 90 days.

6 (t) Notwithstanding any provision of this Section to the
7 contrary, nothing in this Section shall prohibit the issuance
8 or renewal of a license authorizing the sale of alcoholic
9 liquor incidental to the sale of food within a restaurant that
10 is established in a premises that is located in a municipality
11 with a population in excess of 1,000,000 inhabitants and within
12 100 feet of a school and a church if:

13 (1) the restaurant is located inside a five-story
14 building with over 16,800 square feet of commercial space;

15 (2) the area of the premises does not exceed 31,050
16 square feet;

17 (3) the area of the restaurant does not exceed 5,800
18 square feet;

19 (4) the building has no less than 78 condominium units;

20 (5) the construction of the building in which the
21 restaurant is located was completed in 2006;

22 (6) the building has 10 storefront properties, 3 of
23 which are used for the restaurant;

24 (7) the restaurant will open for business in 2010;

25 (8) the building is north of the school and separated
26 by an alley; and

1 (9) the principal religious leader of the church and
2 either the alderperson ~~alderman~~ of the ward in which the
3 school is located or the principal of the school have
4 delivered a written statement to the local liquor control
5 commissioner stating that he or she does not object to the
6 issuance of a license under this subsection (t).

7 (u) Notwithstanding any provision in this Section to the
8 contrary, nothing in this Section shall prohibit the issuance
9 or renewal of a license to sell alcoholic liquor at a premises
10 that is located within a municipality with a population in
11 excess of 1,000,000 inhabitants and within 100 feet of a school
12 if:

13 (1) the premises operates as a restaurant and has been
14 in operation since February 2008;

15 (2) the applicant is the owner of the premises;

16 (3) the sale of alcoholic liquor is incidental to the
17 sale of food;

18 (4) the sale of alcoholic liquor is not the principal
19 business carried on by the licensee on the premises;

20 (5) the premises occupy the first floor of a 3-story
21 building that is at least 90 years old;

22 (6) the rear lot of the school and the rear corner of
23 the building that the premises occupy are separated by an
24 alley;

25 (7) the distance from the southwest corner of the
26 property line of the school and the northeast corner of the

1 building that the premises occupy is at least 16 feet, 5
2 inches;

3 (8) the distance from the rear door of the premises to
4 the southwest corner of the property line of the school is
5 at least 93 feet;

6 (9) the school is a City of Chicago School District 299
7 school;

8 (10) the school's main structure was erected in 1902
9 and an addition was built to the main structure in 1959;
10 and

11 (11) the principal of the school and the alderperson
12 ~~alderman~~ in whose district the premises are located have
13 expressed, in writing, their support for the issuance of
14 the license.

15 (v) Notwithstanding any provision in this Section to the
16 contrary, nothing in this Section shall prohibit the issuance
17 or renewal of a license authorizing the sale of alcoholic
18 liquor at a premises that is located within a municipality with
19 a population in excess of 1,000,000 inhabitants and is within
20 100 feet of a school if:

21 (1) the total land area of the premises for which the
22 license or renewal is sought is more than 600,000 square
23 feet;

24 (2) the premises for which the license or renewal is
25 sought has more than 600 parking stalls;

26 (3) the total area of all buildings on the premises for

1 which the license or renewal is sought exceeds 140,000
2 square feet;

3 (4) the property line of the premises for which the
4 license or renewal is sought is separated from the property
5 line of the school by a street;

6 (5) the distance from the school's property line to the
7 property line of the premises for which the license or
8 renewal is sought is at least 60 feet;

9 (6) as of June 14, 2011 (the effective date of Public
10 Act 97-9), the premises for which the license or renewal is
11 sought is located in the Illinois Medical District.

12 (w) Notwithstanding any provision in this Section to the
13 contrary, nothing in this Section shall prohibit the issuance
14 or renewal of a license to sell alcoholic liquor at a premises
15 that is located within a municipality with a population in
16 excess of 1,000,000 inhabitants and within 100 feet of a church
17 if:

18 (1) the sale of alcoholic liquor at the premises is
19 incidental to the sale of food;

20 (2) the sale of alcoholic liquor is not the principal
21 business carried on by the licensee at the premises;

22 (3) the premises occupy the first floor and basement of
23 a 2-story building that is 106 years old;

24 (4) the premises is at least 7,000 square feet and
25 located on a lot that is at least 11,000 square feet;

26 (5) the premises is located directly west of the

1 church, on perpendicular streets, and separated by an
2 alley;

3 (6) the distance between the property line of the
4 premises and the property line of the church is at least 20
5 feet;

6 (7) the distance between the primary entrance of the
7 premises and the primary entrance of the church is at least
8 130 feet; and

9 (8) the church has been at its location for at least 40
10 years.

11 (x) Notwithstanding any provision of this Section to the
12 contrary, nothing in this Section shall prohibit the issuance
13 or renewal of a license authorizing the sale of alcoholic
14 liquor at a premises that is located within a municipality with
15 a population in excess of 1,000,000 inhabitants and within 100
16 feet of a church if:

17 (1) the sale of alcoholic liquor is not the principal
18 business carried on by the licensee at the premises;

19 (2) the church has been operating in its current
20 location since 1973;

21 (3) the premises has been operating in its current
22 location since 1988;

23 (4) the church and the premises are owned by the same
24 parish;

25 (5) the premises is used for cultural and educational
26 purposes;

1 (6) the primary entrance to the premises and the
2 primary entrance to the church are located on the same
3 street;

4 (7) the principal religious leader of the church has
5 indicated his support of the issuance of the license;

6 (8) the premises is a 2-story building of approximately
7 23,000 square feet; and

8 (9) the premises houses a ballroom on its ground floor
9 of approximately 5,000 square feet.

10 (y) Notwithstanding any provision of this Section to the
11 contrary, nothing in this Section shall prohibit the issuance
12 or renewal of a license authorizing the sale of alcoholic
13 liquor at a premises that is located within a municipality with
14 a population in excess of 1,000,000 inhabitants and within 100
15 feet of a school if:

16 (1) the sale of alcoholic liquor is not the principal
17 business carried on by the licensee at the premises;

18 (2) the sale of alcoholic liquor at the premises is
19 incidental to the sale of food;

20 (3) according to the municipality, the distance
21 between the east property line of the premises and the west
22 property line of the school is 97.8 feet;

23 (4) the school is a City of Chicago School District 299
24 school;

25 (5) the school has been operating since 1959;

26 (6) the primary entrance to the premises and the

1 primary entrance to the school are located on the same
2 street;

3 (7) the street on which the entrances of the premises
4 and the school are located is a major diagonal
5 thoroughfare;

6 (8) the premises is a single-story building of
7 approximately 2,900 square feet; and

8 (9) the premises is used for commercial purposes only.

9 (z) Notwithstanding any provision of this Section to the
10 contrary, nothing in this Section shall prohibit the issuance
11 or renewal of a license authorizing the sale of alcoholic
12 liquor at a premises that is located within a municipality with
13 a population in excess of 1,000,000 inhabitants and within 100
14 feet of a mosque if:

15 (1) the sale of alcoholic liquor is not the principal
16 business carried on by the licensee at the premises;

17 (2) the licensee shall only sell packaged liquors at
18 the premises;

19 (3) the licensee is a national retail chain having over
20 100 locations within the municipality;

21 (4) the licensee has over 8,000 locations nationwide;

22 (5) the licensee has locations in all 50 states;

23 (6) the premises is located in the North-East quadrant
24 of the municipality;

25 (7) the premises is a free-standing building that has
26 "drive-through" pharmacy service;

1 (8) the premises has approximately 14,490 square feet
2 of retail space;

3 (9) the premises has approximately 799 square feet of
4 pharmacy space;

5 (10) the premises is located on a major arterial street
6 that runs east-west and accepts truck traffic; and

7 (11) the alderperson ~~alderman~~ of the ward in which the
8 premises is located has expressed, in writing, his or her
9 support for the issuance of the license.

10 (aa) Notwithstanding any provision of this Section to the
11 contrary, nothing in this Section shall prohibit the issuance
12 or renewal of a license authorizing the sale of alcoholic
13 liquor at a premises that is located within a municipality with
14 a population in excess of 1,000,000 inhabitants and within 100
15 feet of a church if:

16 (1) the sale of alcoholic liquor is not the principal
17 business carried on by the licensee at the premises;

18 (2) the licensee shall only sell packaged liquors at
19 the premises;

20 (3) the licensee is a national retail chain having over
21 100 locations within the municipality;

22 (4) the licensee has over 8,000 locations nationwide;

23 (5) the licensee has locations in all 50 states;

24 (6) the premises is located in the North-East quadrant
25 of the municipality;

26 (7) the premises is located across the street from a

1 national grocery chain outlet;

2 (8) the premises has approximately 16,148 square feet
3 of retail space;

4 (9) the premises has approximately 992 square feet of
5 pharmacy space;

6 (10) the premises is located on a major arterial street
7 that runs north-south and accepts truck traffic; and

8 (11) the alderperson ~~alderman~~ of the ward in which the
9 premises is located has expressed, in writing, his or her
10 support for the issuance of the license.

11 (bb) Notwithstanding any provision of this Section to the
12 contrary, nothing in this Section shall prohibit the issuance
13 or renewal of a license authorizing the sale of alcoholic
14 liquor at a premises that is located within a municipality with
15 a population in excess of 1,000,000 inhabitants and within 100
16 feet of a church if:

17 (1) the sale of alcoholic liquor is not the principal
18 business carried on by the licensee at the premises;

19 (2) the sale of alcoholic liquor at the premises is
20 incidental to the sale of food;

21 (3) the primary entrance to the premises and the
22 primary entrance to the church are located on the same
23 street;

24 (4) the premises is across the street from the church;

25 (5) the street on which the premises and the church are
26 located is a major arterial street that runs east-west;

1 (6) the church is an elder-led and Bible-based Assyrian
2 church;

3 (7) the premises and the church are both single-story
4 buildings;

5 (8) the storefront directly west of the church is being
6 used as a restaurant; and

7 (9) the distance between the northern-most property
8 line of the premises and the southern-most property line of
9 the church is 65 feet.

10 (cc) Notwithstanding any provision of this Section to the
11 contrary, nothing in this Section shall prohibit the issuance
12 or renewal of a license authorizing the sale of alcoholic
13 liquor at a premises that is located within a municipality with
14 a population in excess of 1,000,000 inhabitants and within 100
15 feet of a school if:

16 (1) the sale of alcoholic liquor is not the principal
17 business carried on by the licensee at the premises;

18 (2) the licensee shall only sell packaged liquors at
19 the premises;

20 (3) the licensee is a national retail chain;

21 (4) as of October 25, 2011, the licensee has 1,767
22 stores operating nationwide, 87 stores operating in the
23 State, and 10 stores operating within the municipality;

24 (5) the licensee shall occupy approximately 124,000
25 square feet of space in the basement and first and second
26 floors of a building located across the street from a

1 school;

2 (6) the school opened in August of 2009 and occupies
3 approximately 67,000 square feet of space; and

4 (7) the building in which the premises shall be located
5 has been listed on the National Register of Historic Places
6 since April 17, 1970.

7 (dd) Notwithstanding any provision in this Section to the
8 contrary, nothing in this Section shall prohibit the issuance
9 or renewal of a license authorizing the sale of alcoholic
10 liquor within a full-service grocery store at a premises that
11 is located within a municipality with a population in excess of
12 1,000,000 inhabitants and is within 100 feet of a school if:

13 (1) the premises is constructed on land that was
14 purchased from the municipality at a fair market price;

15 (2) the premises is constructed on land that was
16 previously used as a parking facility for public safety
17 employees;

18 (3) the sale of alcoholic liquor is not the principal
19 business carried on by the licensee at the premises;

20 (4) the main entrance to the store is more than 100
21 feet from the main entrance to the school;

22 (5) the premises is to be new construction;

23 (6) the school is a private school;

24 (7) the principal of the school has given written
25 approval for the license;

26 (8) the alderperson ~~alderman~~ of the ward where the

1 premises is located has given written approval of the
2 issuance of the license;

3 (9) the grocery store level of the premises is between
4 60,000 and 70,000 square feet; and

5 (10) the owner and operator of the grocery store
6 operates 2 other grocery stores that have alcoholic liquor
7 licenses within the same municipality.

8 (ee) Notwithstanding any provision in this Section to the
9 contrary, nothing in this Section shall prohibit the issuance
10 or renewal of a license authorizing the sale of alcoholic
11 liquor within a full-service grocery store at a premises that
12 is located within a municipality with a population in excess of
13 1,000,000 inhabitants and is within 100 feet of a school if:

14 (1) the premises is constructed on land that once
15 contained an industrial steel facility;

16 (2) the premises is located on land that has undergone
17 environmental remediation;

18 (3) the premises is located within a retail complex
19 containing retail stores where some of the stores sell
20 alcoholic beverages;

21 (4) the principal activity of any restaurant in the
22 retail complex is the sale of food, and the sale of
23 alcoholic liquor is incidental to the sale of food;

24 (5) the sale of alcoholic liquor is not the principal
25 business carried on by the grocery store;

26 (6) the entrance to any business that sells alcoholic

1 liquor is more than 100 feet from the entrance to the
2 school;

3 (7) the alderperson ~~alderman~~ of the ward where the
4 premises is located has given written approval of the
5 issuance of the license; and

6 (8) the principal of the school has given written
7 consent to the issuance of the license.

8 (ff) Notwithstanding any provision of this Section to the
9 contrary, nothing in this Section shall prohibit the issuance
10 or renewal of a license authorizing the sale of alcoholic
11 liquor at a premises that is located within a municipality with
12 a population in excess of 1,000,000 inhabitants and within 100
13 feet of a school if:

14 (1) the sale of alcoholic liquor is not the principal
15 business carried on at the premises;

16 (2) the sale of alcoholic liquor at the premises is
17 incidental to the operation of a theater;

18 (3) the premises is a one and one-half-story building
19 of approximately 10,000 square feet;

20 (4) the school is a City of Chicago School District 299
21 school;

22 (5) the primary entrance of the premises and the
23 primary entrance of the school are at least 300 feet apart
24 and no more than 400 feet apart;

25 (6) the alderperson ~~alderman~~ of the ward in which the
26 premises is located has expressed, in writing, his support

1 for the issuance of the license; and

2 (7) the principal of the school has expressed, in
3 writing, that there is no objection to the issuance of a
4 license under this subsection (ff).

5 (gg) Notwithstanding any provision of this Section to the
6 contrary, nothing in this Section shall prohibit the issuance
7 or renewal of a license authorizing the sale of alcoholic
8 liquor incidental to the sale of food within a restaurant or
9 banquet facility established in a premises that is located in a
10 municipality with a population in excess of 1,000,000
11 inhabitants and within 100 feet of a church if:

12 (1) the sale of alcoholic liquor is not the principal
13 business carried on by the licensee at the premises;

14 (2) the property on which the church is located and the
15 property on which the premises are located are both within
16 a district originally listed on the National Register of
17 Historic Places on February 14, 1979;

18 (3) the property on which the premises are located
19 contains one or more multi-story buildings that are at
20 least 95 years old and have no more than three stories;

21 (4) the building in which the church is located is at
22 least 120 years old;

23 (5) the property on which the church is located is
24 immediately adjacent to and west of the property on which
25 the premises are located;

26 (6) the western boundary of the property on which the

1 premises are located is no less than 118 feet in length and
2 no more than 122 feet in length;

3 (7) as of December 31, 2012, both the church property
4 and the property on which the premises are located are
5 within 250 feet of City of Chicago Business-Residential
6 Planned Development Number 38;

7 (8) the principal religious leader at the place of
8 worship has indicated his or her support for the issuance
9 of the license in writing; and

10 (9) the alderperson ~~alderman~~ in whose district the
11 premises are located has expressed his or her support for
12 the issuance of the license in writing.

13 For the purposes of this subsection, "banquet facility"
14 means the part of the building that is located on the floor
15 above a restaurant and caters to private parties and where the
16 sale of alcoholic liquors is not the principal business.

17 (hh) Notwithstanding any provision of this Section to the
18 contrary, nothing in this Section shall prohibit the issuance
19 or renewal of a license authorizing the sale of alcoholic
20 liquor within a hotel and at an outdoor patio area attached to
21 the hotel that are located in a municipality with a population
22 in excess of 1,000,000 inhabitants and that are within 100 feet
23 of a hospital if:

24 (1) the sale of alcoholic liquor is not the principal
25 business carried on by the licensee at the hotel;

26 (2) the hotel is located within the City of Chicago

1 Business Planned Development Number 468; and

2 (3) the hospital is located within the City of Chicago
3 Institutional Planned Development Number 3.

4 (ii) Notwithstanding any provision of this Section to the
5 contrary, nothing in this Section shall prohibit the issuance
6 or renewal of a license authorizing the sale of alcoholic
7 liquor within a restaurant and at an outdoor patio area
8 attached to the restaurant that are located in a municipality
9 with a population in excess of 1,000,000 inhabitants and that
10 are within 100 feet of a church if:

11 (1) the sale of alcoholic liquor at the premises is not
12 the principal business carried on by the licensee and is
13 incidental to the sale of food;

14 (2) the restaurant has been operated on the street
15 level of a 2-story building located on a corner lot since
16 2008;

17 (3) the restaurant is between 3,700 and 4,000 square
18 feet and sits on a lot that is no more than 6,200 square
19 feet;

20 (4) the primary entrance to the restaurant and the
21 primary entrance to the church are located on the same
22 street;

23 (5) the street on which the restaurant and the church
24 are located is a major east-west street;

25 (6) the restaurant and the church are separated by a
26 one-way northbound street;

1 (7) the church is located to the west of and no more
2 than 65 feet from the restaurant; and

3 (8) the principal religious leader at the place of
4 worship has indicated his or her consent to the issuance of
5 the license in writing.

6 (jj) Notwithstanding any provision of this Section to the
7 contrary, nothing in this Section shall prohibit the issuance
8 or renewal of a license authorizing the sale of alcoholic
9 liquor at premises located within a municipality with a
10 population in excess of 1,000,000 inhabitants and within 100
11 feet of a church if:

12 (1) the sale of alcoholic liquor is not the principal
13 business carried on by the licensee at the premises;

14 (2) the sale of alcoholic liquor is incidental to the
15 sale of food;

16 (3) the premises are located east of the church, on
17 perpendicular streets, and separated by an alley;

18 (4) the distance between the primary entrance of the
19 premises and the primary entrance of the church is at least
20 175 feet;

21 (5) the distance between the property line of the
22 premises and the property line of the church is at least 40
23 feet;

24 (6) the licensee has been operating at the premises
25 since 2012;

26 (7) the church was constructed in 1904;

1 (8) the alderperson ~~alderman~~ of the ward in which the
2 premises is located has expressed, in writing, his or her
3 support for the issuance of the license; and

4 (9) the principal religious leader of the church has
5 delivered a written statement that he or she does not
6 object to the issuance of a license under this subsection
7 (jj).

8 (kk) Notwithstanding any provision of this Section to the
9 contrary, nothing in this Section shall prohibit the issuance
10 or renewal of a license authorizing the sale of alcoholic
11 liquor at a premises that is located within a municipality with
12 a population in excess of 1,000,000 inhabitants and within 100
13 feet of a school if:

14 (1) the sale of alcoholic liquor is not the principal
15 business carried on by the licensee at the premises;

16 (2) the licensee shall only sell packaged liquors on
17 the premises;

18 (3) the licensee is a national retail chain;

19 (4) as of February 27, 2013, the licensee had 1,778
20 stores operating nationwide, 89 operating in this State,
21 and 11 stores operating within the municipality;

22 (5) the licensee shall occupy approximately 169,048
23 square feet of space within a building that is located
24 across the street from a tuition-based preschool; and

25 (6) the alderperson ~~alderman~~ of the ward in which the
26 premises is located has expressed, in writing, his or her

1 support for the issuance of the license.

2 (ll) Notwithstanding any provision of this Section to the
3 contrary, nothing in this Section shall prohibit the issuance
4 or renewal of a license authorizing the sale of alcoholic
5 liquor at a premises that is located within a municipality with
6 a population in excess of 1,000,000 inhabitants and within 100
7 feet of a school if:

8 (1) the sale of alcoholic liquor is not the principal
9 business carried on by the licensee at the premises;

10 (2) the licensee shall only sell packaged liquors on
11 the premises;

12 (3) the licensee is a national retail chain;

13 (4) as of February 27, 2013, the licensee had 1,778
14 stores operating nationwide, 89 operating in this State,
15 and 11 stores operating within the municipality;

16 (5) the licensee shall occupy approximately 191,535
17 square feet of space within a building that is located
18 across the street from an elementary school; and

19 (6) the alderperson ~~alderman~~ of the ward in which the
20 premises is located has expressed, in writing, his or her
21 support for the issuance of the license.

22 (mm) Notwithstanding any provision of this Section to the
23 contrary, nothing in this Section shall prohibit the issuance
24 or renewal of a license authorizing the sale of alcoholic
25 liquor within premises and at an outdoor patio or sidewalk
26 cafe, or both, attached to premises that are located in a

1 municipality with a population in excess of 1,000,000
2 inhabitants and that are within 100 feet of a hospital if:

3 (1) the primary business of the restaurant consists of
4 the sale of food where the sale of liquor is incidental to
5 the sale of food;

6 (2) as a restaurant, the premises may or may not offer
7 catering as an incidental part of food service;

8 (3) the primary business of the restaurant is conducted
9 in space owned by a hospital or an entity owned or
10 controlled by, under common control with, or that controls
11 a hospital, and the chief hospital administrator has
12 expressed his or her support for the issuance of the
13 license in writing; and

14 (4) the hospital is an adult acute care facility
15 primarily located within the City of Chicago Institutional
16 Planned Development Number 3.

17 (nn) Notwithstanding any provision of this Section to the
18 contrary, nothing in this Section shall prohibit the issuance
19 or renewal of a license authorizing the sale of alcoholic
20 liquor at a premises that is located within a municipality with
21 a population in excess of 1,000,000 inhabitants and within 100
22 feet of a church if:

23 (1) the sale of alcoholic liquor is not the principal
24 business carried out on the premises;

25 (2) the sale of alcoholic liquor at the premises is
26 incidental to the operation of a theater;

1 (3) the premises are a building that was constructed in
2 1913 and opened on May 24, 1915 as a vaudeville theater,
3 and the premises were converted to a motion picture theater
4 in 1935;

5 (4) the church was constructed in 1889 with a stone
6 exterior;

7 (5) the primary entrance of the premises and the
8 primary entrance of the church are at least 100 feet apart;

9 (6) the principal religious leader at the place of
10 worship has indicated his or her consent to the issuance of
11 the license in writing; and

12 (7) the alderperson ~~alderman~~ in whose ward the premises
13 are located has expressed his or her support for the
14 issuance of the license in writing.

15 (oo) Notwithstanding any provision of this Section to the
16 contrary, nothing in this Section shall prohibit the issuance
17 or renewal of a license authorizing the sale of alcoholic
18 liquor at a premises that is located within a municipality with
19 a population in excess of 1,000,000 inhabitants and within 100
20 feet of a mosque, church, or other place of worship if:

21 (1) the primary entrance of the premises and the
22 primary entrance of the mosque, church, or other place of
23 worship are perpendicular and are on different streets;

24 (2) the primary entrance to the premises faces West and
25 the primary entrance to the mosque, church, or other place
26 of worship faces South;

1 (3) the distance between the 2 primary entrances is at
2 least 100 feet;

3 (4) the mosque, church, or other place of worship was
4 established in a location within 100 feet of the premises
5 after a license for the sale of alcohol at the premises was
6 first issued;

7 (5) the mosque, church, or other place of worship was
8 established on or around January 1, 2011;

9 (6) a license for the sale of alcohol at the premises
10 was first issued on or before January 1, 1985;

11 (7) a license for the sale of alcohol at the premises
12 has been continuously in effect since January 1, 1985,
13 except for interruptions between licenses of no more than
14 90 days; and

15 (8) the premises are a single-story, single-use
16 building of at least 3,000 square feet and no more than
17 3,380 square feet.

18 (pp) Notwithstanding any provision of this Section to the
19 contrary, nothing in this Section shall prohibit the issuance
20 or renewal of a license authorizing the sale of alcoholic
21 liquor incidental to the sale of food within a restaurant or
22 banquet facility established on premises that are located in a
23 municipality with a population in excess of 1,000,000
24 inhabitants and within 100 feet of at least one church if:

25 (1) the sale of liquor shall not be the principal
26 business carried on by the licensee at the premises;

1 (2) the premises are at least 2,000 square feet and no
2 more than 10,000 square feet and is located in a
3 single-story building;

4 (3) the property on which the premises are located is
5 within an area that, as of 2009, was designated as a
6 Renewal Community by the United States Department of
7 Housing and Urban Development;

8 (4) the property on which the premises are located and
9 the properties on which the churches are located are on the
10 same street;

11 (5) the property on which the premises are located is
12 immediately adjacent to and east of the property on which
13 at least one of the churches is located;

14 (6) the property on which the premises are located is
15 across the street and southwest of the property on which
16 another church is located;

17 (7) the principal religious leaders of the churches
18 have indicated their support for the issuance of the
19 license in writing; and

20 (8) the alderperson ~~alderman~~ in whose ward the premises
21 are located has expressed his or her support for the
22 issuance of the license in writing.

23 For purposes of this subsection (pp), "banquet facility"
24 means the part of the building that caters to private parties
25 and where the sale of alcoholic liquors is not the principal
26 business.

1 (qq) Notwithstanding any provision of this Section to the
2 contrary, nothing in this Section shall prohibit the issuance
3 or renewal of a license authorizing the sale of alcoholic
4 liquor on premises that are located within a municipality with
5 a population in excess of 1,000,000 inhabitants and within 100
6 feet of a church or school if:

7 (1) the primary entrance of the premises and the
8 closest entrance of the church or school are at least 200
9 feet apart and no greater than 300 feet apart;

10 (2) the shortest distance between the premises and the
11 church or school is at least 66 feet apart and no greater
12 than 81 feet apart;

13 (3) the premises are a single-story, steel-framed
14 commercial building with at least 18,042 square feet, and
15 was constructed in 1925 and 1997;

16 (4) the owner of the business operated within the
17 premises has been the general manager of a similar
18 supermarket within one mile from the premises, which has
19 had a valid license authorizing the sale of alcoholic
20 liquor since 2002, and is in good standing with the City of
21 Chicago;

22 (5) the principal religious leader at the place of
23 worship has indicated his or her support to the issuance or
24 renewal of the license in writing;

25 (6) the alderperson ~~alderman~~ of the ward has indicated
26 his or her support to the issuance or renewal of the

1 license in writing; and

2 (7) the principal of the school has indicated his or
3 her support to the issuance or renewal of the license in
4 writing.

5 (rr) Notwithstanding any provision of this Section to the
6 contrary, nothing in this Section shall prohibit the issuance
7 or renewal of a license authorizing the sale of alcoholic
8 liquor at premises located within a municipality with a
9 population in excess of 1,000,000 inhabitants and within 100
10 feet of a club that leases space to a school if:

11 (1) the sale of alcoholic liquor is not the principal
12 business carried out on the premises;

13 (2) the sale of alcoholic liquor at the premises is
14 incidental to the operation of a grocery store;

15 (3) the premises are a building of approximately 1,750
16 square feet and is rented by the owners of the grocery
17 store from a family member;

18 (4) the property line of the premises is approximately
19 68 feet from the property line of the club;

20 (5) the primary entrance of the premises and the
21 primary entrance of the club where the school leases space
22 are at least 100 feet apart;

23 (6) the director of the club renting space to the
24 school has indicated his or her consent to the issuance of
25 the license in writing; and

26 (7) the alderperson ~~alderman~~ in whose district the

1 premises are located has expressed his or her support for
2 the issuance of the license in writing.

3 (ss) Notwithstanding any provision of this Section to the
4 contrary, nothing in this Section shall prohibit the issuance
5 or renewal of a license authorizing the sale of alcoholic
6 liquor at premises located within a municipality with a
7 population in excess of 1,000,000 inhabitants and within 100
8 feet of a church if:

9 (1) the premises are located within a 15 unit building
10 with 13 residential apartments and 2 commercial spaces, and
11 the licensee will occupy both commercial spaces;

12 (2) a restaurant has been operated on the premises
13 since June 2011;

14 (3) the restaurant currently occupies 1,075 square
15 feet, but will be expanding to include 975 additional
16 square feet;

17 (4) the sale of alcoholic liquor is not the principal
18 business carried on by the licensee at the premises;

19 (5) the premises are located south of the church and on
20 the same street and are separated by a one-way westbound
21 street;

22 (6) the primary entrance of the premises is at least 93
23 feet from the primary entrance of the church;

24 (7) the shortest distance between any part of the
25 premises and any part of the church is at least 72 feet;

26 (8) the building in which the restaurant is located was

1 built in 1910;

2 (9) the alderperson ~~alderman~~ of the ward in which the
3 premises are located has expressed, in writing, his or her
4 support for the issuance of the license; and

5 (10) the principal religious leader of the church has
6 delivered a written statement that he or she does not
7 object to the issuance of a license under this subsection
8 (ss).

9 (tt) Notwithstanding any provision of this Section to the
10 contrary, nothing in this Section shall prohibit the issuance
11 or renewal of a license authorizing the sale of alcoholic
12 liquor at premises located within a municipality with a
13 population in excess of 1,000,000 inhabitants and within 100
14 feet of a church if:

15 (1) the sale of alcoholic liquor is not the principal
16 business carried on by the licensee at the premises;

17 (2) the sale of alcoholic liquor is incidental to the
18 sale of food;

19 (3) the sale of alcoholic liquor at the premises was
20 previously authorized by a package goods liquor license;

21 (4) the premises are at least 40,000 square feet with
22 25 parking spaces in the contiguous surface lot to the
23 north of the store and 93 parking spaces on the roof;

24 (5) the shortest distance between the lot line of the
25 parking lot of the premises and the exterior wall of the
26 church is at least 80 feet;

1 (6) the distance between the building in which the
2 church is located and the building in which the premises
3 are located is at least 180 feet;

4 (7) the main entrance to the church faces west and is
5 at least 257 feet from the main entrance of the premises;
6 and

7 (8) the applicant is the owner of 10 similar grocery
8 stores within the City of Chicago and the surrounding area
9 and has been in business for more than 30 years.

10 (uu) Notwithstanding any provision of this Section to the
11 contrary, nothing in this Section shall prohibit the issuance
12 or renewal of a license authorizing the sale of alcoholic
13 liquor at premises located within a municipality with a
14 population in excess of 1,000,000 inhabitants and within 100
15 feet of a church if:

16 (1) the sale of alcoholic liquor is not the principal
17 business carried on by the licensee at the premises;

18 (2) the sale of alcoholic liquor is incidental to the
19 operation of a grocery store;

20 (3) the premises are located in a building that is
21 approximately 68,000 square feet with 157 parking spaces on
22 property that was previously vacant land;

23 (4) the main entrance to the church faces west and is
24 at least 500 feet from the entrance of the premises, which
25 faces north;

26 (5) the church and the premises are separated by an

1 alley;

2 (6) the applicant is the owner of 9 similar grocery
3 stores in the City of Chicago and the surrounding area and
4 has been in business for more than 40 years; and

5 (7) the alderperson ~~alderman~~ of the ward in which the
6 premises are located has expressed, in writing, his or her
7 support for the issuance of the license.

8 (vv) Notwithstanding any provision of this Section to the
9 contrary, nothing in this Section shall prohibit the issuance
10 or renewal of a license authorizing the sale of alcoholic
11 liquor at premises located within a municipality with a
12 population in excess of 1,000,000 inhabitants and within 100
13 feet of a church if:

14 (1) the sale of alcoholic liquor is the principal
15 business carried on by the licensee at the premises;

16 (2) the sale of alcoholic liquor is primary to the sale
17 of food;

18 (3) the premises are located south of the church and on
19 perpendicular streets and are separated by a driveway;

20 (4) the primary entrance of the premises is at least
21 100 feet from the primary entrance of the church;

22 (5) the shortest distance between any part of the
23 premises and any part of the church is at least 15 feet;

24 (6) the premises are less than 100 feet from the church
25 center, but greater than 100 feet from the area within the
26 building where church services are held;

1 (7) the premises are 25,830 square feet and sit on a
2 lot that is 0.48 acres;

3 (8) the premises were once designated as a Korean
4 American Presbyterian Church and were once used as a
5 Masonic Temple;

6 (9) the premises were built in 1910;

7 (10) the alderperson ~~alderman~~ of the ward in which the
8 premises are located has expressed, in writing, his or her
9 support for the issuance of the license; and

10 (11) the principal religious leader of the church has
11 delivered a written statement that he or she does not
12 object to the issuance of a license under this subsection
13 (vv).

14 For the purposes of this subsection (vv), "premises" means
15 a place of business together with a privately owned outdoor
16 location that is adjacent to the place of business.

17 (ww) Notwithstanding any provision of this Section to the
18 contrary, nothing in this Section shall prohibit the issuance
19 or renewal of a license authorizing the sale of alcoholic
20 liquor at premises located within a municipality with a
21 population in excess of 1,000,000 inhabitants and within 100
22 feet of a school if:

23 (1) the school is located within Sub Area III of City
24 of Chicago Residential-Business Planned Development Number
25 523, as amended; and

26 (2) the premises are located within Sub Area I, Sub

1 Area II, or Sub Area IV of City of Chicago
2 Residential-Business Planned Development Number 523, as
3 amended.

4 (xx) Notwithstanding any provision of this Section to the
5 contrary, nothing in this Section shall prohibit the issuance
6 or renewal of a license authorizing the sale of alcoholic
7 liquor at premises located within a municipality with a
8 population in excess of 1,000,000 inhabitants and within 100
9 feet of a church if:

10 (1) the sale of wine or wine-related products is the
11 exclusive business carried on by the licensee at the
12 premises;

13 (2) the primary entrance of the premises and the
14 primary entrance of the church are at least 100 feet apart
15 and are located on different streets;

16 (3) the building in which the premises are located and
17 the building in which the church is located are separated
18 by an alley;

19 (4) the premises consists of less than 2,000 square
20 feet of floor area dedicated to the sale of wine or
21 wine-related products;

22 (5) the premises are located on the first floor of a
23 2-story building that is at least 99 years old and has a
24 residential unit on the second floor; and

25 (6) the principal religious leader at the church has
26 indicated his or her support for the issuance or renewal of

1 the license in writing.

2 (yy) Notwithstanding any provision of this Section to the
3 contrary, nothing in this Section shall prohibit the issuance
4 or renewal of a license authorizing the sale of alcoholic
5 liquor at premises located within a municipality with a
6 population in excess of 1,000,000 inhabitants and within 100
7 feet of a church if:

8 (1) the premises are a 27-story hotel containing 191
9 guest rooms;

10 (2) the sale of alcoholic liquor is not the principal
11 business carried on by the licensee at the premises and is
12 limited to a restaurant located on the first floor of the
13 hotel;

14 (3) the hotel is adjacent to the church;

15 (4) the site is zoned as DX-16;

16 (5) the principal religious leader of the church has
17 delivered a written statement that he or she does not
18 object to the issuance of a license under this subsection
19 (yy); and

20 (6) the alderperson ~~alderman~~ of the ward in which the
21 premises are located has expressed, in writing, his or her
22 support for the issuance of the license.

23 (zz) Notwithstanding any provision of this Section to the
24 contrary, nothing in this Section shall prohibit the issuance
25 or renewal of a license authorizing the sale of alcoholic
26 liquor at premises located within a municipality with a

1 population in excess of 1,000,000 inhabitants and within 100
2 feet of a church if:

3 (1) the premises are a 15-story hotel containing 143
4 guest rooms;

5 (2) the premises are approximately 85,691 square feet;

6 (3) a restaurant is operated on the premises;

7 (4) the restaurant is located in the first floor lobby
8 of the hotel;

9 (5) the sale of alcoholic liquor is not the principal
10 business carried on by the licensee at the premises;

11 (6) the hotel is located approximately 50 feet from the
12 church and is separated from the church by a public street
13 on the ground level and by air space on the upper level,
14 which is where the public entrances are located;

15 (7) the site is zoned as DX-16;

16 (8) the principal religious leader of the church has
17 delivered a written statement that he or she does not
18 object to the issuance of a license under this subsection
19 (zz); and

20 (9) the alderperson ~~alderman~~ of the ward in which the
21 premises are located has expressed, in writing, his or her
22 support for the issuance of the license.

23 (aaa) Notwithstanding any provision in this Section to the
24 contrary, nothing in this Section shall prohibit the issuance
25 or renewal of a license authorizing the sale of alcoholic
26 liquor within a full-service grocery store at premises located

1 within a municipality with a population in excess of 1,000,000
2 inhabitants and within 100 feet of a school if:

3 (1) the sale of alcoholic liquor is not the primary
4 business activity of the grocery store;

5 (2) the premises are newly constructed on land that was
6 formerly used by the Young Men's Christian Association;

7 (3) the grocery store is located within a planned
8 development that was approved by the municipality in 2007;

9 (4) the premises are located in a multi-building,
10 mixed-use complex;

11 (5) the entrance to the grocery store is located more
12 than 200 feet from the entrance to the school;

13 (6) the entrance to the grocery store is located across
14 the street from the back of the school building, which is
15 not used for student or public access;

16 (7) the grocery store executed a binding lease for the
17 property in 2008;

18 (8) the premises consist of 2 levels and occupy more
19 than 80,000 square feet;

20 (9) the owner and operator of the grocery store
21 operates at least 10 other grocery stores that have
22 alcoholic liquor licenses within the same municipality;
23 and

24 (10) the director of the school has expressed, in
25 writing, his or her support for the issuance of the
26 license.

1 (bbb) Notwithstanding any provision of this Section to the
2 contrary, nothing in this Section shall prohibit the issuance
3 or renewal of a license authorizing the sale of alcoholic
4 liquor at premises located within a municipality with a
5 population in excess of 1,000,000 inhabitants and within 100
6 feet of a church if:

7 (1) the sale of alcoholic liquor at the premises is
8 incidental to the sale of food;

9 (2) the premises are located in a single-story building
10 of primarily brick construction containing at least 6
11 commercial units constructed before 1940;

12 (3) the premises are located in a B3-2 zoning district;

13 (4) the premises are less than 4,000 square feet;

14 (5) the church established its congregation in 1891 and
15 completed construction of the church building in 1990;

16 (6) the premises are located south of the church;

17 (7) the premises and church are located on the same
18 street and are separated by a one-way westbound street; and

19 (8) the principal religious leader of the church has
20 not indicated his or her opposition to the issuance or
21 renewal of the license in writing.

22 (ccc) Notwithstanding any provision of this Section to the
23 contrary, nothing in this Section shall prohibit the issuance
24 or renewal of a license authorizing the sale of alcoholic
25 liquor within a full-service grocery store at premises located
26 within a municipality with a population in excess of 1,000,000

1 inhabitants and within 100 feet of a church and school if:

2 (1) as of March 14, 2007, the premises are located in a
3 City of Chicago Residential-Business Planned Development
4 No. 1052;

5 (2) the sale of alcoholic liquor is not the principal
6 business carried on by the licensee at the premises;

7 (3) the sale of alcoholic liquor is incidental to the
8 operation of a grocery store and comprises no more than 10%
9 of the total in-store sales;

10 (4) the owner and operator of the grocery store
11 operates at least 10 other grocery stores that have
12 alcoholic liquor licenses within the same municipality;

13 (5) the premises are new construction when the license
14 is first issued;

15 (6) the constructed premises are to be no less than
16 50,000 square feet;

17 (7) the school is a private church-affiliated school;

18 (8) the premises and the property containing the church
19 and church-affiliated school are located on perpendicular
20 streets and the school and church are adjacent to one
21 another;

22 (9) the pastor of the church and school has expressed,
23 in writing, support for the issuance of the license; and

24 (10) the alderperson ~~alderman~~ of the ward in which the
25 premises are located has expressed, in writing, his or her
26 support for the issuance of the license.

1 (ddd) Notwithstanding any provision of this Section to the
2 contrary, nothing in this Section shall prohibit the issuance
3 or renewal of a license authorizing the sale of alcoholic
4 liquor at premises located within a municipality with a
5 population in excess of 1,000,000 inhabitants and within 100
6 feet of a church or school if:

7 (1) the business has been issued a license from the
8 municipality to allow the business to operate a theater on
9 the premises;

10 (2) the theater has less than 200 seats;

11 (3) the premises are approximately 2,700 to 3,100
12 square feet of space;

13 (4) the premises are located to the north of the
14 church;

15 (5) the primary entrance of the premises and the
16 primary entrance of any church within 100 feet of the
17 premises are located either on a different street or across
18 a right-of-way from the premises;

19 (6) the primary entrance of the premises and the
20 primary entrance of any school within 100 feet of the
21 premises are located either on a different street or across
22 a right-of-way from the premises;

23 (7) the premises are located in a building that is at
24 least 100 years old; and

25 (8) any church or school located within 100 feet of the
26 premises has indicated its support for the issuance or

1 renewal of the license to the premises in writing.

2 (eee) Notwithstanding any provision of this Section to the
3 contrary, nothing in this Section shall prohibit the issuance
4 or renewal of a license authorizing the sale of alcoholic
5 liquor at premises located within a municipality with a
6 population in excess of 1,000,000 inhabitants and within 100
7 feet of a church and school if:

8 (1) the sale of alcoholic liquor is incidental to the
9 sale of food;

10 (2) the sale of alcoholic liquor is not the principal
11 business carried on by the applicant on the premises;

12 (3) a family-owned restaurant has operated on the
13 premises since 1957;

14 (4) the premises occupy the first floor of a 3-story
15 building that is at least 90 years old;

16 (5) the distance between the property line of the
17 premises and the property line of the church is at least 20
18 feet;

19 (6) the church was established at its current location
20 and the present structure was erected before 1900;

21 (7) the primary entrance of the premises is at least 75
22 feet from the primary entrance of the church;

23 (8) the school is affiliated with the church;

24 (9) the principal religious leader at the place of
25 worship has indicated his or her support for the issuance
26 of the license in writing;

1 (10) the principal of the school has indicated in
2 writing that he or she is not opposed to the issuance of
3 the license; and

4 (11) the alderperson ~~alderman~~ of the ward in which the
5 premises are located has expressed, in writing, his or her
6 lack of an objection to the issuance of the license.

7 (ff) Notwithstanding any provision of this Section to the
8 contrary, nothing in this Section shall prohibit the issuance
9 or renewal of a license authorizing the sale of alcoholic
10 liquor at premises located within a municipality with a
11 population in excess of 1,000,000 inhabitants and within 100
12 feet of a church if:

13 (1) the sale of alcoholic liquor is not the principal
14 business carried on by the licensee at the premises;

15 (2) the sale of alcoholic liquor at the premises is
16 incidental to the operation of a grocery store;

17 (3) the premises are a one-story building containing
18 approximately 10,000 square feet and are rented by the
19 owners of the grocery store;

20 (4) the sale of alcoholic liquor at the premises occurs
21 in a retail area of the grocery store that is approximately
22 3,500 square feet;

23 (5) the grocery store has operated at the location
24 since 1984;

25 (6) the grocery store is closed on Sundays;

26 (7) the property on which the premises are located is a

1 corner lot that is bound by 3 streets and an alley, where
2 one street is a one-way street that runs north-south, one
3 street runs east-west, and one street runs
4 northwest-southeast;

5 (8) the property line of the premises is approximately
6 16 feet from the property line of the building where the
7 church is located;

8 (9) the premises are separated from the building
9 containing the church by a public alley;

10 (10) the primary entrance of the premises and the
11 primary entrance of the church are at least 100 feet apart;

12 (11) representatives of the church have delivered a
13 written statement that the church does not object to the
14 issuance of a license under this subsection (fff); and

15 (12) the alderperson ~~alderman~~ of the ward in which the
16 grocery store is located has expressed, in writing, his or
17 her support for the issuance of the license.

18 (ggg) Notwithstanding any provision of this Section to the
19 contrary, nothing in this Section shall prohibit the issuance
20 or renewal of licenses authorizing the sale of alcoholic liquor
21 within a restaurant or lobby coffee house at premises located
22 within a municipality with a population in excess of 1,000,000
23 inhabitants and within 100 feet of a church and school if:

24 (1) a residential retirement home formerly operated on
25 the premises and the premises are being converted into a
26 new apartment living complex containing studio and

1 one-bedroom apartments with ground floor retail space;

2 (2) the restaurant and lobby coffee house are located
3 within a Community Shopping District within the
4 municipality;

5 (3) the premises are located in a single-building,
6 mixed-use complex that, in addition to the restaurant and
7 lobby coffee house, contains apartment residences, a
8 fitness center for the residents of the apartment building,
9 a lobby designed as a social center for the residents, a
10 rooftop deck, and a patio with a dog run for the exclusive
11 use of the residents;

12 (4) the sale of alcoholic liquor is not the primary
13 business activity of the apartment complex, restaurant, or
14 lobby coffee house;

15 (5) the entrance to the apartment residence is more
16 than 310 feet from the entrance to the school and church;

17 (6) the entrance to the apartment residence is located
18 at the end of the block around the corner from the south
19 side of the school building;

20 (7) the school is affiliated with the church;

21 (8) the pastor of the parish, principal of the school,
22 and the titleholder to the church and school have given
23 written consent to the issuance of the license;

24 (9) the alderperson ~~alderman~~ of the ward in which the
25 premises are located has given written consent to the
26 issuance of the license; and

1 (10) the neighborhood block club has given written
2 consent to the issuance of the license.

3 (hhh) Notwithstanding any provision of this Section to the
4 contrary, nothing in this Section shall prohibit the issuance
5 or renewal of a license to sell alcoholic liquor at premises
6 located within a municipality with a population in excess of
7 1,000,000 inhabitants and within 100 feet of a home for
8 indigent persons or a church if:

9 (1) a restaurant operates on the premises and has been
10 in operation since January of 2014;

11 (2) the sale of alcoholic liquor is incidental to the
12 sale of food;

13 (3) the sale of alcoholic liquor is not the principal
14 business carried on by the licensee on the premises;

15 (4) the premises occupy the first floor of a 3-story
16 building that is at least 100 years old;

17 (5) the primary entrance to the premises is more than
18 100 feet from the primary entrance to the home for indigent
19 persons, which opened in 1989 and is operated to address
20 homelessness and provide shelter;

21 (6) the primary entrance to the premises and the
22 primary entrance to the home for indigent persons are
23 located on different streets;

24 (7) the executive director of the home for indigent
25 persons has given written consent to the issuance of the
26 license;

1 (8) the entrance to the premises is located within 100
2 feet of a Buddhist temple;

3 (9) the entrance to the premises is more than 100 feet
4 from where any worship or educational programming is
5 conducted by the Buddhist temple and is located in an area
6 used only for other purposes; and

7 (10) the president and the board of directors of the
8 Buddhist temple have given written consent to the issuance
9 of the license.

10 (iii) Notwithstanding any provision of this Section to the
11 contrary, nothing in this Section shall prohibit the issuance
12 or renewal of a license authorizing the sale of alcoholic
13 liquor at premises located within a municipality in excess of
14 1,000,000 inhabitants and within 100 feet of a home for the
15 aged if:

16 (1) the sale of alcoholic liquor is not the principal
17 business carried on by the licensee on the premises;

18 (2) the sale of alcoholic liquor at the premises is
19 incidental to the operation of a restaurant;

20 (3) the premises are on the ground floor of a
21 multi-floor, university-affiliated housing facility;

22 (4) the premises occupy 1,916 square feet of space,
23 with the total square footage from which liquor will be
24 sold, served, and consumed to be 900 square feet;

25 (5) the premises are separated from the home for the
26 aged by an alley;

1 (6) the primary entrance to the premises and the
2 primary entrance to the home for the aged are at least 500
3 feet apart and located on different streets;

4 (7) representatives of the home for the aged have
5 expressed, in writing, that the home does not object to the
6 issuance of a license under this subsection; and

7 (8) the alderperson ~~alderman~~ of the ward in which the
8 restaurant is located has expressed, in writing, his or her
9 support for the issuance of the license.

10 (jjj) Notwithstanding any provision of this Section to the
11 contrary, nothing in this Section shall prohibit the issuance
12 or renewal of a license authorizing the sale of alcoholic
13 liquor at premises located within a municipality with a
14 population in excess of 1,000,000 inhabitants and within 100
15 feet of a school if:

16 (1) as of January 1, 2016, the premises were used for
17 the sale of alcoholic liquor for consumption on the
18 premises and were authorized to do so pursuant to a retail
19 tavern license held by an individual as the sole proprietor
20 of the premises;

21 (2) the primary entrance to the school and the primary
22 entrance to the premises are on the same street;

23 (3) the school was founded in 1949;

24 (4) the building in which the premises are situated was
25 constructed before 1930;

26 (5) the building in which the premises are situated is

1 immediately across the street from the school; and

2 (6) the school has not indicated its opposition to the
3 issuance or renewal of the license in writing.

4 (kkk) (Blank).

5 (lll) Notwithstanding any provision of this Section to the
6 contrary, nothing in this Section shall prohibit the issuance
7 or renewal of a license authorizing the sale of alcoholic
8 liquor at premises located within a municipality with a
9 population in excess of 1,000,000 inhabitants and within 100
10 feet of a synagogue or school if:

11 (1) the sale of alcoholic liquor at the premises is
12 incidental to the sale of food;

13 (2) the sale of alcoholic liquor is not the principal
14 business carried on by the licensee at the premises;

15 (3) the premises are located on the same street on
16 which the synagogue or school is located;

17 (4) the primary entrance to the premises and the
18 closest entrance to the synagogue or school is at least 100
19 feet apart;

20 (5) the shortest distance between the premises and the
21 synagogue or school is at least 65 feet apart and no
22 greater than 70 feet apart;

23 (6) the premises are between 1,800 and 2,000 square
24 feet;

25 (7) the synagogue was founded in 1861; and

26 (8) the leader of the synagogue has indicated, in

1 writing, the synagogue's support for the issuance or
2 renewal of the license.

3 (mmm) Notwithstanding any provision of this Section to the
4 contrary, nothing in this Section shall prohibit the issuance
5 or renewal of licenses authorizing the sale of alcoholic liquor
6 within a restaurant or lobby coffee house at premises located
7 within a municipality with a population in excess of 1,000,000
8 inhabitants and within 100 feet of a church if:

9 (1) the sale of alcoholic liquor is not the principal
10 business carried on by the licensee at the premises;

11 (2) the sale of alcoholic liquor at the premises is
12 incidental to the sale of food in a restaurant;

13 (3) the restaurant has been run by the same family for
14 at least 19 consecutive years;

15 (4) the premises are located in a 3-story building in
16 the most easterly part of the first floor;

17 (5) the building in which the premises are located has
18 residential housing on the second and third floors;

19 (6) the primary entrance to the premises is on a
20 north-south street around the corner and across an alley
21 from the primary entrance to the church, which is on an
22 east-west street;

23 (7) the primary entrance to the church and the primary
24 entrance to the premises are more than 160 feet apart; and

25 (8) the church has expressed, in writing, its support
26 for the issuance of a license under this subsection.

1 (nnn) Notwithstanding any provision of this Section to the
2 contrary, nothing in this Section shall prohibit the issuance
3 or renewal of licenses authorizing the sale of alcoholic liquor
4 within a restaurant or lobby coffee house at premises located
5 within a municipality with a population in excess of 1,000,000
6 inhabitants and within 100 feet of a school and church or
7 synagogue if:

8 (1) the sale of alcoholic liquor is not the principal
9 business carried on by the licensee at the premises;

10 (2) the sale of alcoholic liquor at the premises is
11 incidental to the sale of food in a restaurant;

12 (3) the front door of the synagogue faces east on the
13 next north-south street east of and parallel to the
14 north-south street on which the restaurant is located where
15 the restaurant's front door faces west;

16 (4) the closest exterior pedestrian entrance that
17 leads to the school or the synagogue is across an east-west
18 street and at least 300 feet from the primary entrance to
19 the restaurant;

20 (5) the nearest church-related or school-related
21 building is a community center building;

22 (6) the restaurant is on the ground floor of a 3-story
23 building constructed in 1896 with a brick façade;

24 (7) the restaurant shares the ground floor with a
25 theater, and the second and third floors of the building in
26 which the restaurant is located consists of residential

1 housing;

2 (8) the leader of the synagogue and school has
3 expressed, in writing, that the synagogue does not object
4 to the issuance of a license under this subsection; and

5 (9) the alderperson ~~alderman~~ of the ward in which the
6 premises is located has expressed, in writing, his or her
7 support for the issuance of the license.

8 (ooo) Notwithstanding any provision of this Section to the
9 contrary, nothing in this Section shall prohibit the issuance
10 or renewal of a license authorizing the sale of alcoholic
11 liquor at premises located within a municipality with a
12 population in excess of 2,000 but less than 5,000 inhabitants
13 in a county with a population in excess of 3,000,000 and within
14 100 feet of a home for the aged if:

15 (1) as of March 1, 2016, the premises were used to sell
16 alcohol pursuant to a retail tavern and packaged goods
17 license issued by the municipality and held by a limited
18 liability company as the proprietor of the premises;

19 (2) the home for the aged was completed in 2015;

20 (3) the home for the aged is a 5-story structure;

21 (4) the building in which the premises are situated is
22 directly adjacent to the home for the aged;

23 (5) the building in which the premises are situated was
24 constructed before 1950;

25 (6) the home for the aged has not indicated its
26 opposition to the issuance or renewal of the license; and

1 (7) the president of the municipality has expressed in
2 writing that he or she does not object to the issuance or
3 renewal of the license.

4 (ppp) Notwithstanding any provision of this Section to the
5 contrary, nothing in this Section shall prohibit the issuance
6 or renewal of a license authorizing the sale of alcoholic
7 liquor at premises located within a municipality with a
8 population in excess of 1,000,000 inhabitants and within 100
9 feet of a church or churches if:

10 (1) the shortest distance between the premises and a
11 church is at least 78 feet apart and no greater than 95
12 feet apart;

13 (2) the premises are a single-story, brick commercial
14 building and between 3,600 to 4,000 square feet and the
15 original building was built before 1922;

16 (3) the premises are located in a B3-2 zoning district;

17 (4) the premises are separated from the buildings
18 containing the churches by a street;

19 (5) the previous owners of the business located on the
20 premises held a liquor license for at least 10 years;

21 (6) the new owner of the business located on the
22 premises has managed 2 other food and liquor stores since
23 1997;

24 (7) the principal religious leaders at the places of
25 worship have indicated their support for the issuance or
26 renewal of the license in writing; and

1 (8) the alderperson ~~alderman~~ of the ward in which the
2 premises are located has indicated his or her support for
3 the issuance or renewal of the license in writing.

4 (qqq) Notwithstanding any provision of this Section to the
5 contrary, nothing in this Section shall prohibit the issuance
6 or renewal of a license authorizing the sale of alcoholic
7 liquor at premises located within a municipality with a
8 population in excess of 1,000,000 inhabitants and within 100
9 feet of a church if:

10 (1) the sale of alcoholic liquor at the premises is
11 incidental to the sale of food;

12 (2) the sale of alcoholic liquor is not the principal
13 business carried on by the licensee at the premises;

14 (3) the premises are located on the opposite side of
15 the same street on which the church is located;

16 (4) the church is located on a corner lot;

17 (5) the shortest distance between the premises and the
18 church is at least 90 feet apart and no greater than 95
19 feet apart;

20 (6) the premises are at least 3,000 but no more than
21 5,000 square feet;

22 (7) the church's original chapel was built in 1858;

23 (8) the church's first congregation was organized in
24 1860; and

25 (9) the leaders of the church and the alderperson
26 ~~alderman~~ of the ward in which the premises are located has

1 expressed, in writing, their support for the issuance of
2 the license.

3 (rrr) Notwithstanding any provision of this Section to the
4 contrary, nothing in this Section shall prohibit the issuance
5 or renewal of a license authorizing the sale of alcoholic
6 liquor at a restaurant or banquet facility established within
7 premises located within a municipality with a population in
8 excess of 1,000,000 inhabitants and within 100 feet of a church
9 or school if:

10 (1) the sale of alcoholic liquor at the premises is
11 incidental to the sale of food;

12 (2) the sale of alcoholic liquor is not the principal
13 business carried on by the licensee at the premises;

14 (3) the immediately prior owner or the operator of the
15 restaurant or banquet facility held a valid retail license
16 authorizing the sale of alcoholic liquor at the premises
17 for at least part of the 24 months before a change of
18 ownership;

19 (4) the premises are located immediately east and
20 across the street from an elementary school;

21 (5) the premises and elementary school are part of an
22 approximately 100-acre campus owned by the church;

23 (6) the school opened in 1999 and was named after the
24 founder of the church; and

25 (7) the alderperson ~~alderman~~ of the ward in which the
26 premises are located has expressed, in writing, his or her

1 support for the issuance of the license.

2 (sss) Notwithstanding any provision of this Section to the
3 contrary, nothing in this Section shall prohibit the issuance
4 or renewal of a license authorizing the sale of alcoholic
5 liquor at premises located within a municipality with a
6 population in excess of 1,000,000 inhabitants and within 100
7 feet of a church or school if:

8 (1) the premises are at least 5,300 square feet and
9 located in a building that was built prior to 1940;

10 (2) the shortest distance between the property line of
11 the premises and the exterior wall of the building in which
12 the church is located is at least 109 feet;

13 (3) the distance between the building in which the
14 church is located and the building in which the premises
15 are located is at least 118 feet;

16 (4) the main entrance to the church faces west and is
17 at least 602 feet from the main entrance of the premises;

18 (5) the shortest distance between the property line of
19 the premises and the property line of the school is at
20 least 177 feet;

21 (6) the applicant has been in business for more than 10
22 years;

23 (7) the principal religious leader of the church has
24 indicated his or her support for the issuance or renewal of
25 the license in writing;

26 (8) the principal of the school has indicated in

1 writing that he or she is not opposed to the issuance of
2 the license; and

3 (9) the alderperson ~~alderman~~ of the ward in which the
4 premises are located has expressed, in writing, his or her
5 support for the issuance of the license.

6 (ttt) Notwithstanding any provision of this Section to the
7 contrary, nothing in this Section shall prohibit the issuance
8 or renewal of a license authorizing the sale of alcoholic
9 liquor at premises located within a municipality with a
10 population in excess of 1,000,000 inhabitants and within 100
11 feet of a church or school if:

12 (1) the premises are at least 59,000 square feet and
13 located in a building that was built prior to 1940;

14 (2) the shortest distance between the west property
15 line of the premises and the exterior wall of the church is
16 at least 99 feet;

17 (3) the distance between the building in which the
18 church is located and the building in which the premises
19 are located is at least 102 feet;

20 (4) the main entrance to the church faces west and is
21 at least 457 feet from the main entrance of the premises;

22 (5) the shortest distance between the property line of
23 the premises and the property line of the school is at
24 least 66 feet;

25 (6) the applicant has been in business for more than 10
26 years;

1 (7) the principal religious leader of the church has
2 indicated his or her support for the issuance or renewal of
3 the license in writing;

4 (8) the principal of the school has indicated in
5 writing that he or she is not opposed to the issuance of
6 the license; and

7 (9) the alderperson ~~alderman~~ of the ward in which the
8 premises are located has expressed, in writing, his or her
9 support for the issuance of the license.

10 (uuu) Notwithstanding any provision of this Section to the
11 contrary, nothing in this Section shall prohibit the issuance
12 or renewal of a license authorizing the sale of alcoholic
13 liquor at premises located within a municipality with a
14 population in excess of 1,000,000 inhabitants and within 100
15 feet of a place of worship if:

16 (1) the sale of liquor is incidental to the sale of
17 food;

18 (2) the premises are at least 7,100 square feet;

19 (3) the shortest distance between the north property
20 line of the premises and the nearest exterior wall of the
21 place of worship is at least 86 feet;

22 (4) the main entrance to the place of worship faces
23 north and is more than 150 feet from the main entrance of
24 the premises;

25 (5) the applicant has been in business for more than 20
26 years at the location;

1 (6) the principal religious leader of the place of
2 worship has indicated his or her support for the issuance
3 or renewal of the license in writing; and

4 (7) the alderperson ~~alderman~~ of the ward in which the
5 premises are located has expressed, in writing, his or her
6 support for the issuance of the license.

7 (vvv) Notwithstanding any provision of this Section to the
8 contrary, nothing in this Section shall prohibit the issuance
9 or renewal of a license authorizing the sale of alcoholic
10 liquor at premises located within a municipality with a
11 population in excess of 1,000,000 inhabitants and within 100
12 feet of 2 churches if:

13 (1) as of January 1, 2015, the premises were used for
14 the sale of alcoholic liquor for consumption on the
15 premises and the sale was authorized pursuant to a retail
16 tavern license held by an individual as the sole proprietor
17 of the premises;

18 (2) a primary entrance of the church situated to the
19 south of the premises is located on a street running
20 perpendicular to the street upon which a primary entrance
21 of the premises is situated;

22 (3) the church located to the south of the premises is
23 a 3-story structure that was constructed in 2006;

24 (4) a parking lot separates the premises from the
25 church located to the south of the premises;

26 (5) the building in which the premises are situated was

1 constructed before 1930;

2 (6) the building in which the premises are situated is
3 a 2-story, mixed-use commercial and residential structure
4 containing more than 20,000 total square feet and
5 containing at least 7 residential units on the second floor
6 and 3 commercial units on the first floor;

7 (7) the building in which the premises are situated is
8 immediately adjacent to the church located to the north of
9 the premises;

10 (8) the primary entrance of the church located to the
11 north of the premises and the primary entrance of the
12 premises are located on the same street;

13 (9) the churches have not indicated their opposition to
14 the issuance or renewal of the license in writing; and

15 (10) the alderperson ~~alderman~~ of the ward in which the
16 premises are located has expressed, in writing, his or her
17 support for the issuance of the license.

18 (www) Notwithstanding any provision of this Section to the
19 contrary, nothing in this Section shall prohibit the issuance
20 or renewal of licenses authorizing the sale of alcoholic liquor
21 within a restaurant at premises located within a municipality
22 with a population in excess of 1,000,000 inhabitants and within
23 100 feet of a school if:

24 (1) the sale of alcoholic liquor is incidental to the
25 sale of food and is not the principal business of the
26 restaurant;

1 (2) the building in which the restaurant is located was
2 constructed in 1909 and is a 2-story structure;

3 (3) the restaurant has been operating continuously
4 since 1962, has been located at the existing premises since
5 1989, and has been owned and operated by the same family,
6 which also operates a deli in a building located
7 immediately to the east and adjacent and connected to the
8 restaurant;

9 (4) the entrance to the restaurant is more than 200
10 feet from the entrance to the school;

11 (5) the building in which the restaurant is located and
12 the building in which the school is located are separated
13 by a traffic-congested major street;

14 (6) the building in which the restaurant is located
15 faces a public park located to the east of the school,
16 cannot be seen from the windows of the school, and is not
17 directly across the street from the school;

18 (7) the school building is located 2 blocks from a
19 major private university;

20 (8) the school is a public school that has
21 pre-kindergarten through eighth grade classes, is an open
22 enrollment school, and has a preschool program that has
23 earned a Gold Circle of Quality award;

24 (9) the local school council has given written consent
25 for the issuance of the liquor license; and

26 (10) the alderperson ~~alderman~~ of the ward in which the

1 premises are located has given written consent for the
2 issuance of the liquor license.

3 (xxx) (Blank).

4 (yyy) Notwithstanding any provision in this Section to the
5 contrary, nothing in this Section shall prohibit the issuance
6 or renewal of a license authorizing the sale of alcoholic
7 liquor at a store that is located within a municipality with a
8 population in excess of 1,000,000 inhabitants and within 100
9 feet of a church if:

10 (1) the premises are primarily used for the sale of
11 alcoholic liquor;

12 (2) on January 1, 2017, the store was authorized to
13 sell alcoholic liquor pursuant to a package goods liquor
14 license;

15 (3) on January 1, 2017, the store occupied
16 approximately 5,560 square feet and will be expanded to
17 include 440 additional square feet for the purpose of
18 storage;

19 (4) the store was in existence before the church;

20 (5) the building in which the store is located was
21 built in 1956 and is immediately south of the church;

22 (6) the store and church are separated by an east-west
23 street;

24 (7) the owner of the store received his first liquor
25 license in 1986;

26 (8) the church has not indicated its opposition to the

1 issuance or renewal of the license in writing; and

2 (9) the alderperson ~~alderman~~ of the ward in which the
3 store is located has expressed his or her support for the
4 issuance or renewal of the license.

5 (zzz) Notwithstanding any provision of this Section to the
6 contrary, nothing in this Section shall prohibit the issuance
7 or renewal of a license authorizing the sale of alcoholic
8 liquor at premises located within a municipality with a
9 population in excess of 1,000,000 inhabitants and within 100
10 feet of a church if:

11 (1) the premises are approximately 2,800 square feet
12 with east frontage on South Allport Street and north
13 frontage on West 18th Street in the City of Chicago;

14 (2) the shortest distance between the north property
15 line of the premises and the nearest exterior wall of the
16 church is 95 feet;

17 (3) the main entrance to the church is on West 18th
18 Street, faces south, and is more than 100 feet from the
19 main entrance to the premises;

20 (4) the sale of alcoholic liquor is incidental to the
21 sale of food in a restaurant;

22 (5) the principal religious leader of the church has
23 not indicated his or her opposition to the issuance or
24 renewal of the license in writing; and

25 (6) the alderperson ~~alderman~~ of the ward in which the
26 premises are located has indicated his or her support for

1 the issuance or renewal of the license in writing.

2 (aaaa) Notwithstanding any provision of this Section to the
3 contrary, nothing in this Section shall prohibit the issuance
4 or renewal of a license authorizing the sale of alcoholic
5 liquor at premises located within a municipality with a
6 population in excess of 1,000,000 inhabitants and within 100
7 feet of a church if:

8 (1) the shortest distance between the premises and the
9 church is at least 65 feet apart and no greater than 70
10 feet apart;

11 (2) the premises are located on the ground floor of a
12 freestanding, 3-story building of brick construction with
13 2 stories of residential apartments above the premises;

14 (3) the premises are approximately 2,557 square feet;

15 (4) the premises and the church are located on opposite
16 corners and are separated by sidewalks and a street;

17 (5) the sale of alcohol is not the principal business
18 carried on by the licensee at the premises;

19 (6) the pastor of the church has not indicated his or
20 her opposition to the issuance or renewal of the license in
21 writing; and

22 (7) the alderperson ~~alderman~~ of the ward in which the
23 premises are located has not indicated his or her
24 opposition to the issuance or renewal of the license in
25 writing.

26 (bbbb) Notwithstanding any other provision of this Section

1 to the contrary, nothing in this Section shall prohibit the
2 issuance or renewal of a license authorizing the sale of
3 alcoholic liquor at premises or an outdoor location at the
4 premises located within a municipality with a population in
5 excess of 1,000,000 inhabitants and that are within 100 feet of
6 a church or school if:

7 (1) the church was a Catholic cathedral on January 1,
8 2018;

9 (2) the church has been in existence for at least 150
10 years;

11 (3) the school is affiliated with the church;

12 (4) the premises are bordered by State Street on the
13 east, Superior Street on the south, Dearborn Street on the
14 west, and Chicago Avenue on the north;

15 (5) the premises are located within 2 miles of Lake
16 Michigan and the Chicago River;

17 (6) the premises are located in and adjacent to a
18 building for which construction commenced after January 1,
19 2018;

20 (7) the alderperson ~~alderman~~ who represents the
21 district in which the premises are located has written a
22 letter of support for the issuance of a license; and

23 (8) the principal religious leader of the church and
24 the principal of the school have both signed a letter of
25 support for the issuance of a license.

26 (cccc) Notwithstanding any other provision of this Section

1 to the contrary, nothing in this Section shall prohibit the
2 issuance or renewal of a license authorizing the sale of
3 alcoholic liquor within a restaurant at premises located within
4 a municipality with a population in excess of 1,000,000
5 inhabitants and within 100 feet of a school if:

6 (1) the sale of alcoholic liquor is incidental to the
7 sale of food and is not the principal business of the
8 restaurant;

9 (2) the building in which the restaurant is located was
10 constructed in 1912 and is a 3-story structure;

11 (3) the restaurant has been in operation since 2015 and
12 its entrance faces North Western Avenue;

13 (4) the entrance to the school faces West Augusta
14 Boulevard;

15 (5) the entrance to the restaurant is more than 100
16 feet from the entrance to the school;

17 (6) the school is a Catholic school affiliated with the
18 nearby Catholic Parish church;

19 (7) the building in which the restaurant is located and
20 the building in which the school is located are separated
21 by an alley;

22 (8) the principal of the school has not indicated his
23 or her opposition to the issuance or renewal of the license
24 in writing; and

25 (9) the alderperson ~~alderman~~ of the ward in which the
26 restaurant is located has expressed his or her support for

1 the issuance or renewal of the license.

2 (dddd) Notwithstanding any provision of this Section to the
3 contrary, nothing in this Section shall prohibit the issuance
4 or renewal of a license authorizing the sale of alcoholic
5 liquor at premises located within a municipality with a
6 population in excess of 1,000,000 inhabitants and within 100
7 feet of a school if:

8 (1) the premises are approximately 6,250 square feet
9 with south frontage on Bryn Mawr Avenue and north frontage
10 on the alley 125 feet north of Bryn Mawr Avenue in the City
11 of Chicago;

12 (2) the shortest distance between the south property
13 line of the premises and the nearest exterior wall of the
14 school is 248 feet;

15 (3) the main entrance to the school is on Christiana
16 Avenue, faces east, and is more than 100 feet from the main
17 entrance to the premises;

18 (4) the sale of alcoholic liquor is incidental to the
19 sale of food in a restaurant;

20 (5) the principal of the school has not indicated his
21 or her opposition to the issuance or renewal of the license
22 in writing; and

23 (6) the alderperson ~~alderman~~ of the ward in which the
24 premises are located has indicated his or her support for
25 the issuance or renewal of the license in writing.

26 (eeee) Notwithstanding any provision of this Section to the

1 contrary, nothing in this Section shall prohibit the issuance
2 or renewal of a license authorizing the sale of alcoholic
3 liquor at premises located within a municipality with a
4 population in excess of 1,000,000 inhabitants and within 100
5 feet of a school if:

6 (1) the premises are approximately 2,300 square feet
7 with south frontage on 53rd Street in the City of Chicago
8 and the eastern property line of the premises abuts a
9 private alleyway;

10 (2) the shortest distance between the south property
11 line of the premises and the nearest exterior wall of the
12 school is approximately 187 feet;

13 (3) the main entrance to the school is on Cornell
14 Avenue, faces west, and is more than 100 feet from the main
15 entrance to the premises;

16 (4) the sale of alcoholic liquor is incidental to the
17 sale of food in a restaurant;

18 (5) the principal of the school has not indicated his
19 or her opposition to the issuance or renewal of the license
20 in writing; and

21 (6) the alderperson ~~alderman~~ of the ward in which the
22 premises are located has indicated his or her support for
23 the issuance or renewal of the license in writing.

24 (Source: P.A. 100-36, eff. 8-4-17; 100-38, eff. 8-4-17;
25 100-201, eff. 8-18-17; 100-579, eff. 2-13-18; 100-663, eff.
26 8-2-18; 100-863, eff. 8-14-18; 100-1036, eff. 8-22-18; 101-81,

1 eff. 7-12-19.)

2 Section 75. The Cannabis Regulation and Tax Act is amended
3 by changing Section 55-28 as follows:

4 (410 ILCS 705/55-28)

5 Sec. 55-28. Restricted cannabis zones.

6 (a) As used in this Section:

7 "Legal voter" means a person:

8 (1) who is duly registered to vote in a municipality
9 with a population of over 500,000;

10 (2) whose name appears on a poll list compiled by the
11 city board of election commissioners since the last
12 preceding election, regardless of whether the election was
13 a primary, general, or special election;

14 (3) who, at the relevant time, is a resident of the
15 address at which he or she is registered to vote; and

16 (4) whose address, at the relevant time, is located in
17 the precinct where such person seeks to circulate or sign a
18 petition under this Section.

19 As used in the definition of "legal voter", "relevant time"
20 means any time that:

21 (i) a notice of intent is filed, pursuant to subsection
22 (c) of this Section, to initiate the petition process under
23 this Section;

24 (ii) the petition is circulated for signature in the

1 applicable precinct; or

2 (iii) the petition is signed by registered voters in
3 the applicable precinct.

4 "Petition" means the petition described in this Section.

5 "Precinct" means the smallest constituent territory within
6 a municipality with a population of over 500,000 in which
7 electors vote as a unit at the same polling place in any
8 election governed by the Election Code.

9 "Restricted cannabis zone" means a precinct within which
10 home cultivation, one or more types of cannabis business
11 establishments, or both has been prohibited pursuant to an
12 ordinance initiated by a petition under this Section.

13 (b) The legal voters of any precinct within a municipality
14 with a population of over 500,000 may petition their local
15 alderperson ~~alderman~~, using a petition form made available
16 online by the city clerk, to introduce an ordinance
17 establishing the precinct as a restricted zone. Such petition
18 shall specify whether it seeks an ordinance to prohibit, within
19 the precinct: (i) home cultivation; (ii) one or more types of
20 cannabis business establishments; or (iii) home cultivation
21 and one or more types of cannabis business establishments.

22 Upon receiving a petition containing the signatures of at
23 least 25% of the registered voters of the precinct, and
24 concluding that the petition is legally sufficient following
25 the posting and review process in subsection (c) of this
26 Section, the city clerk shall notify the local alderperson

1 ~~alderman~~ of the ward in which the precinct is located. Upon
2 being notified, that alderperson ~~alderman~~, following an
3 assessment of relevant factors within the precinct, including
4 but not limited to, its geography, density and character, the
5 prevalence of residentially zoned property, current licensed
6 cannabis business establishments in the precinct, the current
7 amount of home cultivation in the precinct, and the prevailing
8 viewpoint with regard to the issue raised in the petition, may
9 introduce an ordinance to the municipality's governing body
10 creating a restricted cannabis zone in that precinct.

11 (c) A person seeking to initiate the petition process
12 described in this Section shall first submit to the city clerk
13 notice of intent to do so, on a form made available online by
14 the city clerk. That notice shall include a description of the
15 potentially affected area and the scope of the restriction
16 sought. The city clerk shall publicly post the submitted notice
17 online.

18 To be legally sufficient, a petition must contain the
19 requisite number of valid signatures and all such signatures
20 must be obtained within 90 days of the date that the city clerk
21 publicly posts the notice of intent. Upon receipt, the city
22 clerk shall post the petition on the municipality's website for
23 a 30-day comment period. The city clerk is authorized to take
24 all necessary and appropriate steps to verify the legal
25 sufficiency of a submitted petition. Following the petition
26 review and comment period, the city clerk shall publicly post

1 online the status of the petition as accepted or rejected, and
2 if rejected, the reasons therefor. If the city clerk rejects a
3 petition as legally insufficient, a minimum of 12 months must
4 elapse from the time the city clerk posts the rejection notice
5 before a new notice of intent for that same precinct may be
6 submitted.

7 (d) Notwithstanding any law to the contrary, the
8 municipality may enact an ordinance creating a restricted
9 cannabis zone. The ordinance shall:

10 (1) identify the applicable precinct boundaries as of
11 the date of the petition;

12 (2) state whether the ordinance prohibits within the
13 defined boundaries of the precinct, and in what
14 combination: (A) one or more types of cannabis business
15 establishments; or (B) home cultivation;

16 (3) be in effect for 4 years, unless repealed earlier;
17 and

18 (4) once in effect, be subject to renewal by ordinance
19 at the expiration of the 4-year period without the need for
20 another supporting petition.

21 (Source: P.A. 101-27, eff. 6-25-19.)

22 Section 80. The Illinois Vehicle Code is amended by
23 changing Section 3-610 as follows:

24 (625 ILCS 5/3-610) (from Ch. 95 1/2, par. 3-610)

1 Sec. 3-610. Members of Congress. Upon receiving an
2 application for a certificate of registration for a motor
3 vehicle from a member of the Congress of the United States from
4 Illinois, accompanied with payments of the registration fees
5 and taxes required under this Act, the Secretary of State
6 instead of issuing to such member number plates as hereinabove
7 provided, shall, if such member so requests, issue to him two
8 number plates as described in this Section. Two duplicate sets
9 of these number plates may be issued if requested and may be
10 used on 2 different motor vehicles. There shall appear, in
11 addition to the designation of the State and the year for which
12 such license was issued, if he is a member of the House of
13 Representatives, the number of the congressional district of
14 such member in the center of the plate followed in the next
15 line by the words "U. S. Congressperson ~~Congressman~~"; if he is
16 the senior Senator from Illinois, the number 1 shall be in the
17 center of the plate followed in the next line by the word
18 "Senator"; and if he is the junior Senator, the number 2 shall
19 be in the center of the plate followed in the next line by the
20 word "Senator".

21 Such plates may be issued for a 2 year period beginning
22 January 1st of each odd-numbered year and ending December 31st
23 of the subsequent even-numbered years.

24 (Source: P.A. 85-413.)

25 Section 85. The Code of Civil Procedure is amended by

1 changing Section 15-1503 as follows:

2 (735 ILCS 5/15-1503) (from Ch. 110, par. 15-1503)

3 Sec. 15-1503. Notice of foreclosure.

4 (a) A notice of foreclosure, whether the foreclosure is
5 initiated by complaint or counterclaim, made in accordance with
6 this Section and recorded in the county in which the mortgaged
7 real estate is located shall be constructive notice of the
8 pendency of the foreclosure to every person claiming an
9 interest in or lien on the mortgaged real estate, whose
10 interest or lien has not been recorded prior to the recording
11 of such notice of foreclosure. Such notice of foreclosure must
12 be executed by any party or any party's attorney and shall
13 include (i) the names of all plaintiffs and the case number,
14 (ii) the court in which the action was brought, (iii) the names
15 of title holders of record, (iv) a legal description of the
16 real estate sufficient to identify it with reasonable
17 certainty, (v) a common address or description of the location
18 of the real estate and (vi) identification of the mortgage
19 sought to be foreclosed. An incorrect common address or
20 description of the location, or an immaterial error in the
21 identification of a plaintiff or title holder of record, shall
22 not invalidate the lis pendens effect of the notice under this
23 Section. A notice which complies with this Section shall be
24 deemed to comply with Section 2-1901 of the Code of Civil
25 Procedure and shall have the same effect as a notice filed

1 pursuant to that Section; however, a notice which complies with
2 Section 2-1901 shall not be constructive notice unless it also
3 complies with the requirements of this Section.

4 (b) With respect to residential real estate, a copy of the
5 notice of foreclosure described in subsection (a) of Section
6 15-1503 shall be sent by first class mail, postage prepaid, to
7 the municipality within the boundary of which the mortgaged
8 real estate is located, or to the county within the boundary of
9 which the mortgaged real estate is located if the mortgaged
10 real estate is located in an unincorporated territory. A
11 municipality or county must clearly publish on its website a
12 single address to which such notice shall be sent. If a
13 municipality or county does not maintain a website, then the
14 municipality or county must publicly post in its main office a
15 single address to which such notice shall be sent. In the event
16 that a municipality or county has not complied with the
17 publication requirement in this subsection (b), then the copy
18 of the notice to the municipality or county shall be sent by
19 first class mail, postage prepaid, to the chairperson of the
20 county board or county clerk in the case of a county, to the
21 mayor or city clerk in the case of a city, to the president of
22 the board of trustees or village clerk in the case of a
23 village, or to the president or town clerk in the case of a
24 town. Additionally, if the real estate is located in a city
25 with a population of more than 2,000,000, regardless of whether
26 that city has complied with the publication requirement in this

1 subsection (b), the party must, within 10 days after filing the
2 complaint or counterclaim: (i) send by first class mail,
3 postage prepaid, a copy of the notice of foreclosure to the
4 alderperson ~~alderman~~ for the ward in which the real estate is
5 located and (ii) file an affidavit with the court attesting to
6 the fact that the notice was sent to the alderperson ~~alderman~~
7 for the ward in which the real estate is located. The failure
8 to send a copy of the notice to the alderperson ~~alderman~~ or to
9 file an affidavit as required shall result in a stay of the
10 foreclosure action on a motion of a party or the court. If the
11 foreclosure action has been stayed by an order of the court,
12 the plaintiff or the plaintiff's representative shall send the
13 notice by certified mail, return receipt requested, or by
14 private carrier that provides proof of delivery, and tender the
15 return receipt or the proof of delivery to the court. After
16 proof of delivery is tendered to the court, the court shall
17 lift the stay of the foreclosure action.

18 (Source: P.A. 101-399, eff. 8-16-19.)

19 Section 90. The City Sale or Lease of Land for Cemeteries
20 Act is amended by changing Section 1 as follows:

21 (765 ILCS 825/1) (from Ch. 21, par. 7)

22 Sec. 1. That in all cities of which the mayor and
23 alderpersons ~~aldermen~~ have heretofore been incorporated by any
24 special act, as a cemetery association or body politic, it

1 shall be lawful, a majority of their number assenting thereto,
2 for such association or body politic to demise for a term of
3 years, or to convey in perpetuity any real estate which it may
4 have acquired by purchase or otherwise; and the real estate so
5 conveyed shall be devoted exclusively for burial or cemetery
6 purposes by the grantee or lessee thereof.

7 (Source: Laws 1875, p. 40.)

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6	10 ILCS 5/7-4	from Ch. 46, par. 7-4
7	10 ILCS 5/7-10	from Ch. 46, par. 7-10
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10	40 ILCS 5/6-230	
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