

1 AN ACT in relation to counties.

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

4 Section 5. The Election Code is amended by changing  
5 Section 28-1 as follows:

6 (10 ILCS 5/28-1) (from Ch. 46, par. 28-1)

7 Sec. 28-1. The initiation and submission of all public  
8 questions to be voted upon by the electors of the State or of  
9 any political subdivision or district or precinct or  
10 combination of precincts shall be subject to the provisions  
11 of this Article.

12 Questions of public policy which have any legal effect  
13 shall be submitted to referendum only as authorized by a  
14 statute which so provides or by the Constitution. Advisory  
15 questions of public policy shall be submitted to referendum  
16 pursuant to Section 28-5 or pursuant to a statute which so  
17 provides.

18 The method of initiating the submission of a public  
19 question shall be as provided by the statute authorizing such  
20 public question, or as provided by the Constitution.

21 All public questions shall be initiated, submitted and  
22 printed on the ballot in the form required by Section 16-7 of  
23 this Act, except as may otherwise be specified in the statute  
24 authorizing a public question.

25 Whenever a statute provides for the initiation of a  
26 public question by a petition of electors, the provisions of  
27 such statute shall govern with respect to the number of  
28 signatures required, the qualifications of persons entitled  
29 to sign the petition, the contents of the petition, the  
30 officer with whom the petition must be filed, and the form of  
31 the question to be submitted. If such statute does not

1 specify any of the foregoing petition requirements, the  
2 corresponding petition requirements of Section 28-6 shall  
3 govern such petition.

4 Irrespective of the method of initiation, not more than 3  
5 public questions other than (a) back door referenda, (b)  
6 referenda to determine whether a disconnection may take place  
7 where a city coterminous with a township is proposing to  
8 annex territory from an adjacent township, ~~or~~ (c) referenda  
9 held under the provisions of the Property Tax Extension  
10 Limitation Law in the Property Tax Code, or (d) referenda  
11 held under Section 2-3002 of the Counties Code may be  
12 submitted to referendum with respect to a political  
13 subdivision at the same election.

14 If more than 3 propositions are timely initiated or  
15 certified for submission at an election with respect to a  
16 political subdivision, the first 3 validly initiated, by the  
17 filing of a petition or by the adoption of a resolution or  
18 ordinance of a political subdivision, as the case may be,  
19 shall be printed on the ballot and submitted at that  
20 election. However, except as expressly authorized by law not  
21 more than one proposition to change the form of government of  
22 a municipality pursuant to Article VII of the Constitution  
23 may be submitted at an election. If more than one such  
24 proposition is timely initiated or certified for submission  
25 at an election with respect to a municipality, the first  
26 validly initiated shall be the one printed on the ballot and  
27 submitted at that election.

28 No public question shall be submitted to the voters of a  
29 political subdivision at any regularly scheduled election at  
30 which such voters are not scheduled to cast votes for any  
31 candidates for nomination for, election to or retention in  
32 public office, except that if, in any existing or proposed  
33 political subdivision in which the submission of a public  
34 question at a regularly scheduled election is desired, the

1 voters of only a portion of such existing or proposed  
2 political subdivision are not scheduled to cast votes for  
3 nomination for, election to or retention in public office at  
4 such election, but the voters in one or more other portions  
5 of such existing or proposed political subdivision are  
6 scheduled to cast votes for nomination for, election to or  
7 retention in public office at such election, the public  
8 question shall be voted upon by all the qualified voters of  
9 the entire existing or proposed political subdivision at the  
10 election.

11 Not more than 3 advisory public questions may be  
12 submitted to the voters of the entire state at a general  
13 election. If more than 3 such advisory propositions are  
14 initiated, the first 3 timely and validly initiated shall be  
15 the questions printed on the ballot and submitted at that  
16 election; provided however, that a question for a proposed  
17 amendment to Article IV of the Constitution pursuant to  
18 Section 3, Article XIV of the Constitution, or for a question  
19 submitted under the Property Tax Cap Referendum Law, shall  
20 not be included in the foregoing limitation.

21 (Source: P.A. 88-116; 89-510, eff. 7-11-96.)

22 Section 10. The Counties Code is amended by changing  
23 Sections 2-3002 and 2-3003 as follows:

24 (55 ILCS 5/2-3002) (from Ch. 34, par. 2-3002)

25 Sec. 2-3002. Counties with population of less than  
26 3,000,000 and with township form of government.

27 (a) Reapportionment required. By July 1, 1971, and each  
28 10 years thereafter, the county board of each county having a  
29 population of less than 3,000,000 inhabitants and the  
30 township form of government shall reapportion its county so  
31 that each member of the county board represents the same  
32 number of inhabitants. In reapportioning its county, the

1 county board shall first determine the size of the county  
2 board to be elected, which may consist of not less than 5 nor  
3 more than 29 members and may not exceed the size of the  
4 county board in that county on October 2, 1969. The county  
5 board shall also determine whether board members shall be  
6 elected at large from the county or by county board  
7 districts.

8 If the chairman of the county board is to be elected by  
9 the voters in a county of less than 450,000 population as  
10 provided in Section 2-3007, such chairman shall not be  
11 counted as a member of the county board for the purpose of  
12 the limitations on the size of a county board provided in  
13 this Section.

14 (b) Advisory referenda. The voters of a county may  
15 advise the county board, through an advisory referendum, on  
16 questions concerning (i) the number of members of the county  
17 board to be elected, (ii) whether the board members should be  
18 elected from single-member districts, multi-member districts,  
19 or at-large, (iii) whether voters will have cumulative voting  
20 rights in the election of county board members, or (iv) any  
21 combination of the preceding 3 questions. The advisory  
22 referendum may be initiated either by petition or by  
23 ordinance of the county board. A written petition for an  
24 advisory referendum authorized by this Section must contain  
25 the signatures of at least 8% of the votes cast for  
26 candidates for Governor in the preceding gubernatorial  
27 election by the registered voters of the county and must be  
28 filed with the appropriate election authority. An ordinance  
29 initiating an advisory referendum authorized by this Section  
30 must be approved by a majority of the members of the county  
31 board and must be filed with the appropriate election  
32 authority. An advisory referendum initiated under this  
33 Section shall be placed on the ballot at the general election  
34 designated in the petition or ordinance.

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

2 (55 ILCS 5/2-3003) (from Ch. 34, par. 2-3003)

3 Sec. 2-3003. Apportionment plan. (1) If the county board  
4 determines that members shall be elected by districts, it  
5 shall develop an apportionment plan and specify the number of  
6 districts and the number of county board members to be  
7 elected from each district and whether voters will have  
8 cumulative voting rights in multi-member districts. Each such  
9 district:

10 a. Shall be equal in population to each other district;

11 b. Shall be comprised of contiguous territory, as nearly  
12 compact as practicable; and

13 c. May divide townships or municipalities only when  
14 necessary to conform to the population requirement of  
15 paragraph a. of this Section.

16 d. Shall be created in such a manner so that no precinct  
17 shall be divided between 2 or more districts, insofar as is  
18 practicable.

19 (2) The county board of each county having a population  
20 of less than 3,000,000 inhabitants may, if it should so  
21 decide, provide within that county for single member  
22 districts outside the corporate limits and multi-member  
23 districts within the corporate limits of any municipality  
24 with a population in excess of 75,000. Paragraphs a, b, c  
25 and d of subsection (1) of this Section shall apply to the  
26 apportionment of both single and multi-member districts  
27 within a county to the extent that compliance with paragraphs  
28 a, b, c and d still permit the establishment of such  
29 districts, except that the population of any multi-member  
30 district shall be equal to the population of any single  
31 member district, times the number of members found within  
32 that multi-member district.

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

1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.